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भारत निर्वाचन आयोग सचिवालय
SECRETARIAT OF THE ELECTION COMMISSION OF INDIA

निर्वाचन सदन, अशोक रोड, नई दिल्ली-110001
Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.56/01/Dispute/PPS-II/2022/Vol-IV

Dated: 11th January, 2023

To

Sh. Uddhavji Thackeray, Shivsena Party, Shivsena Bhavan, Gadkari Chowk, Dadar, Mumbai (Maharashtra)- 400028	Sh. Eknathrao Sambhaji Shinde, Chief Minister, Government of Maharashtra, Subh-Deep Bungalow, Landmark Society, Thane Maharashtra,
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Subject: Dispute Case No.1 of 2022- Under Para 15 of the Election Symbols (Reservation and Allotment) Order, 1968, Dispute in Shivsena, a recognized Party in the State of Maharashtra - Commission's Interim Order - **Hearing on 10.01.2023 at 4:15 pm** -regarding.

Sir,

I am directed to forward herewith the Order Sheet in the matter dated 10.01.2023, in the Dispute Case No. 1 of 2022 for your reference.

Yours faithfully,

(Manish Kumar)
Under Secretary

E-mail: mnayak86@eci.gov.in
Extn no – 487, Ph.no – 23052008

ELECTION COMMISSION OF INDIA
NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI – 110 001

IN DISPUTE CASE NO. 1 OF 2022

(EKNATH SAMBHAJI SHINDE VS. UDDHAV THACKERAY)

ORDER SHEET

10.01.2023	<p>At the outset, Shri Kapil Sibal, Ld. Senior Advocate on behalf of the Respondent, submitted that the Commission pronounce an order on the Interim Application dated 12.12.2022 whereby the issue of maintainability of the present dispute petition was prayed to be decided.</p> <p>Shri Mahesh Jethmalani, Ld. Senior Advocate on behalf of the Petitioner, submitted that the preliminary issue of maintainability, as raised by the Respondent, already stood decided by the Hon'ble Supreme Court <i>vide</i> order dated 27.09.2022 in W.P.(C) No. 493/2022 and by the Single Judge bench order dated 15.11.2022 passed by the Hon'ble Delhi High Court in W.P.(C) No. 15616/2022 and by the Division Bench of the Hon'ble Delhi High Court in order dated 16.12.2022 in LPA No. 717/2022.</p> <p>The Commission perused the above orders passed by the Hon'ble Supreme Court and Hon'ble Delhi High Court and in view of the decisions thereon, including on the proceedings under the Symbols Order, 1968 before ECI, and states that it will render the final decision on all issues, including the issue of maintainability while passing the final order.</p> <p>Thereafter, Ld. Senior Advocate Mahesh Jethmalani argued at length on merits of the case and submitted a brief note of his submissions which is taken on record.</p> <p>Shri Maninder Singh, Ld. Senior Advocate appearing on behalf of the Petitioner, also made his submissions and submitted a brief note of the same which is taken on record.</p> <p>Shri Siddharth Bhatnagar, Ld. Senior Advocate on behalf of the Petitioner, made his submissions and placed before Commission a chart with regard to 'Pratinidhi Sabha' of the Party.</p> <p>Shri Kapil Sibal, Ld. Senior Advocate on behalf of the Respondent, sought time for making his submissions with respect to documents submitted on behalf of the Petitioner and accordingly, the Commission has fixed the next date of hearing as 17.01.2023 at 4 p.m.</p>
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By Order,



(Jaydeb Lahiri)
Secretary

BEFORE THE ELECTION COMMISSION OF INDIA

In Re: Dispute Case No. 1 of 2022 – Dispute in Shivsena- Hearing on 10.01.2023.

CORAM

Hon'ble Rajiv Kumar, Chief Election Commissioner,
Hon'ble Anup Chandra Pandey, Election Commissioner,
Hon'ble Arun Goel, Election Commissioner.

PRESENT

For Petitioners

Sh. Mahesh Jethmalani, Senior Advocate
Sh. Maninder Singh, Senior Counsel
Sh. Siddharth Bhatnagar, Senior Counsel
Ms. Malivka Trivedi, Senior Counsel
Sh. Chirag Shah, Advocate
Sh. Utsav Teivedi, Advocate
Sh. Ravi Sharma, Advocate
Ms. Mugdha Pande, Advocate
Sh. Himanshu Sachdeva, Advocate
Ms. Manini Roy, Advocate
Sh. Chaitali Jugran, Advocate
Sh. Piyush Tiwari, Advocate
Sh. Ajay Awasthi, Advocate
Sh. Wedo Khalo, Advocate
Sh. Nihar Thackrey, Advocate
Ms. Sujal Gupta, Advocate
Sh. Prabhash Bajaj, Advocate
Sh. Navneet R, Advocate
Sh. Aditya Sidhra, Advocate
Sh. Nadeem Afroz
Along with others.

For Respondents

Sh. Kapil Sibal, Senior Advocate
Sh. Devdatt Kamat, Senior Advocate
Sh. Amit Anand Tiwari, Advocate
Sh. Vivek Singh, Advocate
Ms. Devyani Gupta, Advocate
Ms. Aparajita Jamwal, Advocate
Mohd. Nizam Pasha, Advocate
Sh. Sabaariswh Subramanian, Advocate
Sh. Javedur Rahman, Advocate
Sh. Harsh Pandey, Advocate
Sh. Rajesh Inamdar, Advocate
Ms. Revanta Solanki, Advocate
Sh. Sunny Jain, Advocate
Sh. Rohit Sharma, Advocate
Sh. Anil Desai, Member of Parliament
Sr. Sanjay Raut, Member of Parliament
Sh. Anil Parab
Sh. Suraj Chavan
Along with others.