

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 4313 OF 2026

Amar Sahakari Majur Sanstha Ltd And Anr ... Petitioners

Vs.

State Co-Operative Election Authority And Ors. ... Respondents

WITH

WRIT PETITION NO. 4314 OF 2026

Anisa Khan Kamgar Majur Sahakari Sanstha Ltd ... Petitioners

Vs.

State Co-Operative Election Authority And Ors. ... Respondents

WITH

WRIT PETITION (ST.) NO. 8035 OF 2026

Shri Ram Samarth Khan Kamgar Majur Sahakari ... Petitioners
Sanstha Ltd. Thr. Secretary Bajrang Chinnappa
Shingare

Vs.

State Co-Operative Election Authority And Ors. ... Respondents

.....

Mr. Rugwed R. Kinkar for the Petitioners

Mr. Ruturaj P. Pawar for Respondent Nos. 1 and 2.

Mr. Shrikrishna Ganbavale a/w Shantanu Patil, Prithviraj Raorane,
Ashirwad Kolekar, Kunal Nalawade for Respondent No.3.

.....

CORAM : SHAILESH P. BRAHME, J.

DATE : 2nd SEPTEMBER, 2026.

P. C. :

. Heard both sides.

UDAY
SHIVAJI
JAGTAP
Digitally
signed by
UDAY
SHIVAJI
JAGTAP
Date:
2026.09.02
19:12:25
+0530

2. The petitioners are challenging order passed on 20.07.2026 by the Returning Officer overruling their objections for inclusion of their names in the provisional voters' list. Learned counsel for the petitioners has vehemently argued that the petitioners were the members of the respondent no.3 – Federation and had participated in the previous election conducted in 2022. They were required to approach the Returning Officer against their illegal omission in the provisional voters' list and the objections were sustained by order dated 17.01.2022. Thereafter their names were included and they have participated. This time also they are excluded from the provisional voters' list on the premise that the enrollment was subsequent to the cut of date fixed by the respondents. The reasons assigned for overruling the objection is stated to be *ex facie* illegal. It is submitted that no prejudice would be caused either to the election process or to the stake holders if they are still included in the voters' list.

3. Learned counsel Mr. Pawar appearing for respondent nos.1 and 2 has placed on record Election Programme to buttress that polling is scheduled to be held on 05.09.2026 and it would not be practicable to interfere in the impugned order so as to include the petitioners in the voters' list.

4. Learned counsel Mr. Ganbavale appearing for respondent no.3 would submit that there is a genuine reason for exclusion of the petitioners in the provisional voters' list. They were not the members on the cut of date. Their entitlement to be the members of the society is seriously disputed. It is further pointed out that couple of primary societies had approached the Division Bench for inclusion of their names but they were unsuccessful. Thereafter they had approached Apex Court but could not secure any orders. The petitioners are taking chances and the petitions cannot be entertained at the fag end of the election process. It is further submitted that there are 32 similarly situated societies whose objections are overruled and any indulgence in favour of the petitioners would likely to give cause of action for those societies to approach this Court, which will hamper the election process.

5. My attention is adverted to the Election programme which is tendered by Mr. Pawar, learned counsel for respondent nos. 1 and 2 on record. The final voters' list had already been prepared long back. The time for submission of the nomination was from 03.08.2026 to 07.08.2026. The scrutiny of the nomination was scheduled on 10.08.2026. Thereafter, list of valid nominees was published on 11.08.2026. The time for withdrawal of the nomination was upto 25.08.2026. The symbol was distributed on 27.08.2026. Polling is fixed

on 05.09.2026 and the counting and result on the same date. The election programme is virtually at the final stages. No interference at this stage of proceeding is permissible.

6. The impugned order is passed on 20.07.2026 and the petitions are filed on or about 27.08.2026. The petitioners have not explained as to why they did not promptly approach this Court after receiving the impugned order.

7. I am not inclined to cause any interference in the election process or grant any relief to the petitioners under above circumstances. No case is made out. As the polling is fixed on 05.09.2026, any indulgence at this stage of the proceedings is likely to cause prejudice to the respondents or the stake holders.

8. The Writ Petitions are dismissed.

9. The petitioners shall be at liberty to raise grievance, as is permissible in law.

(SHAILESH P. BRAHME, J.)