

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

WRIT PETITION NO. 3985 OF 2015

Shivraj s/o Bhaurao Pawar

.. PETITIONER

VERSUS

The State of Maharashtra
& others

.. RESPONDENTS

Mr. V.D. Salunke, advocate for petitioner.
Mrs. A.V. Gondhalekar, AGP for the State.
Mr. S.K. Kadam, advocate for respondent no. 2.
Mr. S.B. Ghatol Patil, advocate for respondents 5 and 6.

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**CORAM : R.M. BORDE &
V. K. JADHAV JJ.
DATE : 8th APRIL, 2015.**

PER COURT :

1. Petitioner is objecting to replacement of name of respondent no. 6 representing respondent no. 5 - primary society in the final list of voters prepared for the purpose of election to the District Central Co-operative Bank. Inclusion of name of nominee is objected on the ground of breach of mandate of rule 10(4) of the Maharashtra Co-operative Societies (Election of Committee) Rules, 2014. It is contended that replacement of name of nominee is in breach of the rules and is also beyond the prescribed period mentioned in rule 10(4).

2. The objection raised by petitioner is contested by the concerned respondent contending that replacement of nominee is before five days prior to the last date for making nomination prescribed under the election program.

3. Since petition raises disputed questions of facts, in exercise of extra ordinary jurisdiction under Article 226 of the Constitution of India, no interference is called for at this stage. Keeping the option to avail of remedies available in law, open for the petitioner, writ petition stands disposed of.

(V.K. JADHAV)
JUDGE

(R. M. BORDE)
JUDGE

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