

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.4217 OF 2015

Datta Raosaheb Chavan & others

Petitioners

Versus

The State of Maharashtra and others

Respondents

Mr.S.B. Ghatol Patil advocate for the petitioners

Mr.S.B. Karlekar, AGP for Respondents No.1 & 3

CORAM : R.M. BORDE &
V.K. JADHAV, JJ

Dated : 23rd April, 2015.

PER COURT :-

1 The petitioners are praying for issuance of directions for including their names in the final list of voters. An objection tendered by the petitioners in respect of inclusion of their names has been turned down by the District Election Officer by order dated 6.4.2015. The petitioners contend that in fact they have paid the share amount as well as membership fees and were inducted as members. However, the Chairman of the society who belongs to opposite panel, has not included their names in the list of voters. It is contended that the Assistant Registrar has supported the claim of the petitioners and recommended the District Cooperative Election Officer to consider the objection favorably. However, the District

Election Officer has turned down the objection only on the ground that the names of the petitioners do not find place in the list annexed to the Audit Report for the year 2011-2012.

2 An affidavit in reply has been presented on behalf of the Chairman, wherein, he states that the petitioners, in fact, have not deposited the share amount and the membership fees and the receipts on which reliance is placed, are forged.

3 It does appear that, the contentions raised by the petitioners, in the instant petition are disputed by the Chairman. Apart from this, the District Cooperative Election Officer also did not find support to the claim of the petitioners in the Audit report for the period 2011-2012 and as such proceeded to reject the objection.

4 In our view, at this advanced stage of process of election, since only two stages i.e. allotment of symbol and recording of votes have remained to be completed, no interference need be caused in the on-going process of election.

5 Keeping option of availing appropriate remedy open, the petition which is devoid of substance, stands rejected.

(V.K. JADHAV, J)

(R.M.BORDE, J)