

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

WRIT PETITION NO. 4343 OF 2015

Tanhaji Sakharamji Mutkule Petitioner
versus
State Co-operative Election
Authority, Maharashtra State
and others Respondents

Mr. Surendra V. Suryawanshi, Advocate for petitioner
Mrs. S. G. Chincholkar, Asstt.Govt.Pleader for respondents no.1
& 2
Mr. S.S. Thombre, Advocate for respondent no.3

CORAM : SUNIL P. DESHMUKH, J.
DATE : 23RD APRIL, 2015

ORDER

1. Petitioner questions legality of the order of the election officer accepting nomination of respondent no. 3 who is petitioner in writ petition no. 4233 of 2015 on the ground that the society of which he is trying to be delegate did not possess requisite 'B' category audit report. For said purpose, he relies on audit report for the period 2012-13 which shows category 'C' of audit report.

2. However, it appears that respondent no. 3 along with his nomination had filed certificate about the audit report being of 'B' category concerning Hingane Multipurpose co-operative society. That aspect petitioner is not in a position to dispute.

3. In view of the same, the election officer had rejected objection by petitioner to the nomination of respondent no. 3 and had accepted said nomination.

4. Having regard to aforesaid, I do not think there is any merit in the petition. Petition as such stands rejected.

5. However, it is left open to the petitioner to file appropriate proceedings at appropriate stage and before appropriate authority, including election petition. It is made clear that observations made above shall not influence the authority if matter comes for decision on merits.

SUNIL P. DESHMUKH, J.

pnd