

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4999 OF 2015

VIVIDH KARYAKARI SEVA SAHAKARI SOCIETY LTD, NANDED AND
OTHERS
VERSUS
STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Petitioners : Mr. Bachate Pralhad D.
AGP for Respondents: Mr. S.G. Karlekar
.....

**CORAM : R. M. BORDE AND
V. K. JADHAV, JJ.**

DATED : 30th APRIL, 2015

P.C. :-

1. The petitioners are praying for issuance of directions to the respondents to include the name of delegates in the final list of voters prepared for the purpose of conduct of elections to the District Central Co-operative Bank.

2. It is not a matter of dispute that the societies are already represented and names of the societies appear in the final list of voters. However, the names of nominees of the societies are stated to have been communicated prior to holding of elections. It is also not a matter of dispute that after holding of elections, a resolution was adopted nominating the petitioners as nominees on behalf of the newly elected managing committee of the societies. Since resolution

was not forwarded within time stipulated under Rule 10(4), the names of delegates forwarded by the newly elected managing committee are not included in the final list of voters. Sub-Rule (4) of Rule 10 is in respect of communicating the name of delegate and it is permissible to change the name of its representative only in case of death of the representative or where there is newly elected committee of the member society not later than five days before the last date for making nominations.

3. Since the proposal has reached the Election Officer beyond stipulated period, the names of nominees have not been included. We do not find any error on the part of the Returning Officer in refusing to record the names of the petitioners as nominees. Writ petition is devoid of substance and the same stands rejected.

(V. K. JADHAV, J.)

(R. M. BORDE, J.)

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