

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.12290 OF 2015

Dagadu s/o Bhikaji Solunke,
Age-50 years, Occu:Agriculture,
R/o-Savangira, Tq-Nilanga,
Dist-Latur
and others.

...PETITIONERS

VERSUS

The State of Maharashtra,
Through its Secretary,
Co-operation, Mantralaya,
Mumbai-32
and others.

...RESPONDENTS

...

Mr.V.D. Hon, Senior Counsel with Mr. Kuldeep
S. Patil Advocate for Petitioners.
Mrs.A.V. Gondhalekar, A.G.P. for Respondent
Nos. 1 to 4.

...

**CORAM: R.M. BORDE AND
A.I.S. CHEEMA, JJ.**

DATE : 22ND DECEMBER, 2015

ORDER :

1. The Petitioners are praying for issuance of
directions to Respondents to declare the programme

of election of Nilanga Agricultural Produce Committee only after holding elections of co-operative societies of which elections are due since last one or two years. The term of Nilanga Agricultural Produce Committee has already come to an end and programme of election has been declared on 28th November 2015. According to the Petitioner, term of 15 co-operative societies has come to an end and the elections are due. It is also contended that the elections of 31 Gram Panchayats have been held and the names of elected representatives are required to be incorporated in the electoral roll which shall be prepared for holding elections of A.P.M.C.

2. It would be permissible for the Petitioners to tender appropriate application or raise an objection in respect of incorporation of the names of the elected representatives of 31 Gram Panchayats in electoral roll and it would be the responsibility of the District Deputy

Registrar to incorporate such names in the final list of voters.

3. So far as the co-operative societies are concerned, it would be the responsibility of the State Co-operative Election Authority to hold elections and merely because in case of few co-operative societies the term of the managing committee has come to an end, the elections of A.P.M.C. need not be with-held. The elections to A.P.M.C. are due and required to be held in accordance with the provisions of law. In the given facts and circumstances, no interference is called for at the instance of the Petitioners in exercise of extra ordinary writ jurisdiction of this Court. Taking into consideration the peculiar facts and circumstances of this case, the Writ Petition stands disposed of.

4. It is made clear that the observations made in the instant order are of the prima facie

nature and shall not affect the remedies those would be availed of by the Petitioners before the appropriate forum.

[A.I.S. CHEEMA, J.]

asb/DEC15

[R.M. BORDE, J.]