

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 4307 OF 2015**

Vinayakrao Virgondrao Patil

..Petitioner

Vs.

The Returning Officer,

Kolhapur District Central Co-operative Bank Ltd & ors.

..Respondents

Mr. P. D. Dalvi for the Petitioner

Mr. S. R. Ganbavle i/b Mr. Abhijeet Desai for the Respondent No.6

Mr. S. D. Rayrikar AGP for the Respondent Nos.2 and 3

CORAM : R. M. SAVANT, J.

DATE : 30th APRIL, 2015

P.C.

1 The Writ Jurisdiction of this Court is invoked against the order dated 20-4-2015 passed by the Divisional Joint Registrar Co-operative Societies, Kolhapur, by which order, the Appeal filed by the Petitioner against the rejection of his nomination, came to be dismissed.

2 The Petitioner's nomination for contesting the election to the Kolhapur District Central Co-operative Bank Ltd, was rejected on the ground that the Petitioner was a guarantor to a borrower from the Shivaji Sahakari Bank Ltd., Gadhinglaj. Whist rejecting the said nomination, reliance was sought to be placed on bye law No.35-A(6) of the bye laws of the Kolhapur District Central Co-operative Bank Ltd.

3 Arguments was sought to be advanced before this Court in support and against as to whether the Petitioner is eligible to contest the election or not on the ground that he is a guarantor to a borrower from a credit bank. In view of the fact that some factual aspects would be involved, it is not possible for this Court to enter into the said arena.

4 It is also required to be noted that the election programme is at the last stage and only voting remains to be done which is to take place on 5-5-2015. Hence any order passed at this stage would amount to interfering with the election programme. In that view of the matter, no case for interference in the Writ Jurisdiction of this Court is made out. The Writ Petition is accordingly dismissed.

[R.M.SAVANT, J]