

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.2453 OF 2015

Shri. Shaikh Gulab Dautbhai

.. Petitioner

Versus

The Returning Officer & Ors.

.. Respondents

WITH

WRIT PETITION NO.2454 OF 2015

Shri. Chorghe Sunil Shankar

.. Petitioner

Versus

The Returning Officer & Ors.

.. Respondents

WITH

WRIT PETITION NO.2455 OF 2015

Shri. Sunil Shankar Chorghe

.. Petitioner

Versus

The Returning Officer & Ors.

.. Respondents

WITH

WRIT PETITION NO.2456 OF 2015

Shri. Baburao Digambar Suryawanshi

.. Petitioner

Versus

The Returning Officer & Ors.

.. Respondents

WITH

WRIT PETITION NO.2457 OF 2015

Shri. Shaikh Aktar Abdul Rehman

.. Petitioner

Versus

The Returning Officer & Ors.

.. Respondents

WITH

WRIT PETITION NO.2458 OF 2015

Shri. Shinde Vikram Baburao

.. Petitioner

Versus

The Returning Officer & Ors.

.. Respondents

WITH

WRIT PETITION NO.2459 OF 2015

Shri. Shaikh Aktar Abdul Rehman

.. Petitioner

Versus

The Returning Officer & Ors.

.. Respondents

WITH

WRIT PETITION NO.2460 OF 2015

Smt. Vandana Harishchandra Gothankar

.. Petitioner

Versus

The Returning Officer & Ors.

.. Respondents

WITH

WRIT PETITION NO.2461 OF 2015

Shri. Balu Dagdu Gore

.. Petitioner

Versus

The Returning Officer & Ors.

.. Respondents

WITH
WRIT PETITION NO.2462 OF 2015

Shri. Ramchandra Baban Pawar	.. Petitioner
Versus	
The Returning Officer & Ors.	.. Respondents

WITH
WRIT PETITION NO.2463 OF 2015

Shri. Satish Shantaram Mehta	.. Petitioner
Versus	
The Returning Officer & Ors.	.. Respondents

WITH
WRIT PETITION NO.2464 OF 2015

Shri. Vikram Baburao Shinde	.. Petitioner
Versus	
The Returning Officer & Ors.	.. Respondents

Shri. Vivek V. Salunkhe, for the Petitioner/s in all matters.

Shri. Balasaheb Deshmukh, for the Respondent No.2 in all matters.

Mrs. Vaishali Nimbalkar, AGP for Respondent Nos.1 & 3 in all matters.

CORAM : R.M. SAVANT, J.
DATE : 17th MARCH, 2015

PC.

1. The above Writ Petitions take exception to the acceptance of the nominations of the Respondent No.2 in each of the Petitions for

contesting election to the Bhor Shahar Prathamik & Madhyamik Shikshak Sevakanchi Sahakari Patsanstha Maryadit, Bhor, Taluka Bhor, District-Pune. The Petitioner herein is an objector to the nomination of the Respondent No.2 being accepted by the Returning Officer. However, so far as Writ Petition No.2462 of 2015 is concerned, it is the case of the Petitioner that order passed by the Returning Officer is not made available. The objection taken by the Petitioner is on the ground that the Respondent No.2 in each of the above Petitions has not obtained permission of the management as contemplated by Section 42(2) of the MEPS Rules prior to filling up of the nomination forms, whereas the Petitioner had obtained the permission and his nomination is also held to be valid. The said objection raised by the Petitioner has been rejected by the Returning Officer on the touchstone of Section 73CA(vi) of the Maharashtra Co-operative Societies Act, wherein the disqualification contemplated is not applicable to the societies of the salaried employees. The said society in question in the instant case is undisputedly a society of the salaried employees to which the elections are to be held. It is required to be noted that the election is at the stage, where the list of validly nominated candidates is to be published tomorrow i.e. on 18th March, 2015 and thereafter voting is to take place on 25th March, 2015.

2. After arguing for sometime the Learned Counsel for the

Petitioner in each of the above Petitions on instructions seeks withdrawal of the above Petitions to agitate the grievance raised by the Petitioner in appropriate proceedings after the elections if the occasion so arises in future. The Petitions are accordingly allowed to be withdrawn with liberty as prayed for.

[R.M. SAVANT, J]