

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.

Writ Petition No. 2378 of 2015

Anil Ommkarrao Gawande & anr.

v.

State of Maharashtra & ors.

Office Notes, Office Memoranda of Coram
appearances, Court's orders or directions
and Registrar's orders.

Court's or Judge's orders

**Coram : B.P. Dharmadhikari &
S.B. Shukre, JJ.**

Date : 23rd April, 2015.

Two petitioners claim right to vote in election of a specified society, i.e. Akola District Central Co-operative Bank. List of contesting candidates is to be published on 27.4.2015 and polling is to be conducted on 05.5.2015.

2. Petitioner no. 1 has submitted application for entering him as a representative of respondent no. 2-Co-operative Society on 07.4.2015. In fact, Resolution of said society authorising it is dated 7.4.2015. The Returning Officer has stated that change was not sought within stipulated time. Therefore, the application has been rejected. The only contention is, petitioner cannot be blamed for this delay.

3. Insofar as petitioner no. 2 is concerned, even AGP has pointed out that material on record does not show that requisition for change of representative has been served at any point of time on Respondent no. 3- Election Officer.

4. We have perused the record. Petitioner has only placed a postal receipt dated 8.4.2015 which shows that such application was despatched to Respondent no. 3- Election Officer. It is not in dispute that first date of submission of nomination paper was 7.4.2015 while the last date was 8.4.2015.

5. Considering this, it is apparent that no case is made out warranting writ jurisdiction. Hence, with liberty to approach competent forum in accordance with law after the results of election are declared, we dispose of the writ petition. No costs.

Judge

Judge

/TA/