

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

WRIT PETITION NO.3835 OF 2015.

(Shri Kishor Bhaskarrao Banarase and another ..vs.. District Cooperative Election Officer and District Deputy Registrar, Yavatmal and others)

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

Court's or Judge's orders

Shri A.S. Kilor, Advocate for the petitioners,
Shri D.M. Kale, AGP for the respondent Nos. 1 and 2,
Shri Firdos Mirza, Advocate for the respondent No.6.

CORAM : Z.A. HAQ, J.

DATED : 17-07-2015

The petition raises a common ground i.e. about the eligibility of the respondents to contest the elections.

2. The submission of the petitioners is that the respondents have not paid the difference of amount as per the enhanced building fee as resolved in the meeting dated 04-09-2011. Shri F.T. Mirza, learned Advocate for the respondent No.6 has pointed out the resolution No.10/8 by which the decision to enhance the building fee was taken and building fee was enhanced from Rs.200/- to Rs.500/-. The submission on behalf of the respondent is that the enhanced building fee is to be charged from the new members to be enrolled and enhanced fee is not to be charged to the members who are enrolled prior to 04-09-2011. The appellate authority has considered the resolution and has taken the possible view which cannot be said to be perverse.

3. I see no reason to interfere with the impugned order. The petition is dismissed. In the circumstances, the parties to bear their own costs.

JUDGE

pma