

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

**WRIT PETITION NO.238/2015**

**Kedarnath s/o Suresh Joshi**

**...Versus...**

**State of Maharashtra, through its Secretary, Deptt. of Revenue, Mantralaya,**  
**Mumbai – 32 and others**

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

Court's or Judge's orders  
-----

Ms Hanifa Sheikh, Advocate for petitioner  
Shri N.S. Khubalkar, AGP for respondent nos.1 and 2  
Shri A.S. Kilor, Advocate for respondent no.3

**CORAM : SMT. VASANTI A. NAIK AND**  
**A.I.S. CHEEMA, JJ.**

**DATE : 21.10.2015**

By this petition, the petitioner challenges the election of the respondent no.3 on the post of President of Vidarbha Patwari Sanghatana.

Shri Kilor, the learned Counsel for the respondent no.3 raises a preliminary objection to the tenability of the writ petition. It is stated that if the petitioner is aggrieved by the election of the respondent no.3 as the President of the Sanghatana – Society, the petitioner can as well file a dispute under Section 91 of the Maharashtra Co-operative Societies Act.

By upholding the preliminary objection raised on behalf of the respondent no.3, we dispose of the writ petition with no order as to costs.

The points raised in the petition are kept open.

**JUDGE**

Wadkar

**JUDGE**