

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

**WRIT PETITION NO. 11229 OF 2016
WITH
CIVIL APPLICATION NO. 15843 OF 2016
IN
WRIT PETITION NO. 11229 OF 2016**

Pandharinath Gyanaba Kadam
Age: 65 years, Occu.: Agriculture,
R/o Sonna, Tq. Purna, Dist. Parbhani.

..PETITIONER

VERSUS

1. State of Maharashtra
Through its Principal Secretary,
Co-operative and Textile Department,
Mantralaya, Mumbai – 32.
2. The District Co-operative Election Officer/
District Deputy Registrar,
Co-operative Societies, Parbhani.
3. The Assistant Registrar,
Co-operative Societies, Puna,
Tq. Purna, Dist. Parbhani.
4. The Returning Officer,
Sonna Vividh Karyakari Sahakari Society,
Sonna, Tq. Purna, Dist. Parbhani.
5. Sonna Vividh Karyakari Sahakari Society,
Sonna, Tq. Purna, Dist. Parbhani.
Through its Secretary.
6. Baliram Shankarrao Kadam
R/o Sonna, Tq. Purna, Dist. Parbhani.

..RESPONDENTS

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Mr. P.D. Bachate, Advocate for petitioner.
Mr. S.K. Tambe, A.G.P. for Respondent No.1.
Mr. S.K. Kadam, Advocate for Respondent Nos. 2 to 4.
Mr. S.B. Ghatol Patil, Advocate for Respondent No.6.

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CORAM : T.V. NALAWADE, J.
DATED : 06th DECEMBER, 2016

ORAL JUDGMENT :

1. Rule. Rule made returnable forthwith. Heard both sides by consent for final disposal.

2 The petition is filed to challenge the order made by the Returning Officer by which the names of 58 persons were deleted from the provisional voters list and also the decision given by the Assistant Registrar, Co-operative Societies, Purna that there is no relevant record on the basis of which it can be said that those 58 persons were made members. The order is made against these persons.

3. The submissions made show that in the audit conducted for the year 2012-13, the record was verified by the auditor. The names of four members like Vandana Manik Kadam, Santabai Manchak Kadam, Govind Vyankati Kadam and Waman Digambar Lokhande were shown in the audit report but their names are deleted by observing that there is no

relevant record. The auditor must have mentioned these four names on the basis of the relevant record which the auditor is expected to go through.

4. In view of these circumstances, this Court holds that to some extent, the petition can be allowed. Voters list is to be corrected by adding aforesaid four names and they are allowed to vote in the election. Rule made absolute. Respondent No.2 is to correct the voters list. Civil application stands disposed of.

(T.V. NALAWADE, J.)

SSD