

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 12167 OF 2016
(Dagu Waman Ghare Vs. The State Co-operative Election
Authority Maharashtra State, Pune and others)

Mr. P.B. Shirsath, Advocate for the Petitioner
Mr. S.K. Kadam, Advocate for respondent Nos. 1 and 2
Mr. R.N. Dhorde, Senior Advocate, instructed by and
with Mr. R.L. Kute, Advocate for respondent No. 4

CORAM : R.M. BORDE AND
SANGITRAO S. PATIL, JJ.

DATE : 15th December, 2016

PER COURT :

Heard.

2. The petitioner is objecting to the name of delegate forwarded by the Primary Society i.e. respondent No. 4 for the purpose of elections to respondent No. 3 Society.

3. It is contended that one of the Managing Committee members is minor, five years of age. It is true that if the contention is correct, the minor cannot represent a Society, as a Member, nor can be elected on the Managing Committee. The petitioner himself is one of the members of the Managing Committee and has not

raised objection in this regard till this date. Even assuming that the objection raised is to be true, it is informed that all the other members of the Managing Committee have unanimously referred the name of the delegate on behalf of their Society – respondent No. 4 for election to Federal Society. In this view of the matter, at this late stage of the ongoing process of election, no interference is called for, in exercise of extraordinary jurisdiction conferred upon this Court under Article 226 of the Constitution of India. Keeping the option of the petitioners open to avail of the remedies available in law, the Writ Petition is disposed of.

[SANGITRAO S. PATIL]
JUDGE

[R.M. BORDE]
JUDGE

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