

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
WRIT PETITION NO. 264 OF 2016

Kakasaheb @ Bajrang Tukaram Bhosale .. Petitioner  
vs.  
The State of Maharashtra and ors. .. Respondents

Mr. L.S. Deshmukh for the Petitioner.  
Mr. S.D. Rayrikar, AGP for Respondent Nos.1 and 2.  
Mr. Umesh Mankapure for Respondent No.4.  
Mr. Y.S. Jahagirdar, Sr. Advocate i/b Mr. Sarang Aradhya for Respondent No.5.

**CORAM : M. S. SONAK, J.**  
**DATE : 12 JANUARY 2016.**

**P.C. :-**

1] The challenge in this petition is to the order dated 5 January 2016 made by the Appellate Authority under Section 152A of the Maharashtra Cooperative Societies Act, 1960 (said Act) upholding the rejection of the Petitioner's nomination papers.

2] As of today, the election process is at an advanced stage. Even the ballot papers, which number almost 27000, have been printed. The Petitioner is not without any remedy. In fact, Mr. Mankapure, learned counsel for Respondent No.4 and Mr. Rayrikar, learned AGP for Respondent Nos.1 and 2 submitted that it is always open to the Petitioner to institute a substantive election petition in terms of amended Section 91 of the said Act and therein question, *inter alia*,

the rejection of his nomination paper.

3] For the aforesaid reasons and without entering into the merits as to whether the rejection of the Petitioner's nomination papers was valid or not, this petition is dismissed. The Petitioner is obviously granted liberty to file an alternate remedy available to him under the law.

4] This petition is disposed of in the aforesaid terms. There shall however, be no order as to costs.

**(M. S. SONAK, J.)**

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