

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6264 OF 2016

Taekwondo Association of Maharashtra
(Anil @ Aba Zogade faction)
through Mr. Amjadkhan @ Gaffar Pathan. ..Petitioner.

Versus

Taekwondo Association of Maharashtra
and Others. ..Respondents.

Mr. Javed Shaikh i/b Mr. D. B. Deshmukh for the Petitioner.
Mr. Sushant Prabhune for Respondent No. 1.
Mr. S. R. Ganbavale for Respondent No. 2.

Coram : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.
Date : **June 16, 2016.**

P. C. :

1. Heard the learned Counsel appearing for the respective parties. The petition pertains to the election to the Executive Council of Respondent No.2–The Taekwondo Federation of India. The petition is filed on behalf of Anil Zogade faction of Taekwondo Association of Maharashtra.

2. It is the contention of the Petitioner that in order to participate in the election to the executive council of Respondent No.2, each association is entitled to send two members and in

the order passed by the Court Commissioner on 4th May 2016, names of Anil Zogade and Sandeep Ombase were mentioned as the representative of Maharashtra Association. The Petitioner contends that these names were *suo moto* removed and other names are incorporated in their place.

3. The learned Counsel appearing for Respondent No. 1 submitted that names of Anil Zogade and Sandeep Ombase were removed in view of the elections to the Executive Council of Maharashtra Association, which were held in the year 2014. He submitted that on the basis of election, the Court commissioner removed the names of the Petitioner and included the names of newly elected office bearers by passing fresh order on 20th May 2016. Copy of the order dated 20th May 2016 is placed on record for our perusal.

4. The learned Counsel appearing for the Petitioner does not dispute that this order is passed after giving an opportunity of hearing to the Petitioner's faction.

5. Be that as it may, election to the executive council of Respondent No.2 was declared on 31st May 2016. The list of authorised representatives is published on 8th May 2016. The last date of nomination was 10th June 2016 and the scrutiny of the nomination was to take place on 14th June 2016. The list of validly nominated candidates is displayed on 16th June 2016 and the voting is to take place on 26th June 2016. In the light of this calendar, we find that election is at advanced stage and therefore we decline to entertain the writ petition and it is accordingly dismissed. Needless to mention that the dismissal of the present writ petition will not come in the way of the Petitioner to file election petition, as may be permissible under the law.

[SMT. ANUJA PRABHUDESSAI, J.]

[RANJIT MORE, J.]