

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10257 OF 2016
WITH
WRIT PETITION NO.10260 OF 2016

Lasalgaon Vikas Seva Society, Lasalgaon
and Another ...Petitioners

vs.

Sub-Divisional Officer, Niphad and Others ...Respondents

Mr. P.S. Hagare, for the Petitioners

Mr. Vikas Mali, AGP for the Respondents-State.

Mr. A. Satpute i/b. Mr. Chetan Damre, for Respondent Nos. 2 & 3.

CORAM : SHANTANU KEMKAR &
MAKARAND KARNIK, JJ.

DATE : **SEPTEMBER 06, 2016**

P.C.:

. Not on board. Upon mentioning taken on board.

2. Parties through their counsel.

3. Through these Petitions, the Petitioners have challenged the order dated 27th July, 2016 (Exhibit 'B') passed by the Sub Divisional Officer/Respondent No. 1. The grievance of the Petitioners is that on the basis of Voters list in which the Petitioners' name have

been deleted, the election will be held as a result of which the Petitioners would be deprived of taking part, vote and being elected in the election which are to be held soon.

4. Having considered the submissions made by the learned counsel for the parties and having gone through the Rule 88 of the Maharashtra Agricultural Produce Marketing (Development & Regulation) Rules, 1967 we find that the question which is raised in the Petitions can be agitated by the Petitioners by way of Election Petition. In the circumstances, we decline to exercise the jurisdiction under Article 226 of the Constitution of India.

5. As a result, both the Petitions hereby stand dismissed.

6. All the questions raised in the Petitions are left open.

(MAKARAND KARNIK, J.)

(SHANTANU KEMKAR, J.)