

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 2660 OF 2015

Adiwasi Vividh Karyakari Sahakari Sanstha Maryadit, Lohara and others

-vs-

The Divisional Joint Registrar, District Cooperative Societies, Nashik and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. Abhay Sambre, counsel for the petitioners.
Mr. P.S.Tembhare, AGP for the respondent Nos.1 to 3.

CORAM : SMT. VASANTI A NAIK,J.

DATE : 06.09.2016.

By this writ petition, the petitioners challenge the order of the respondent No.1-Divisional Joint Registrar cum District Cooperative Election Officer, Cooperative Societies, Nashik rejecting the prayer of the petitioners-societies for inclusion of the names of their representatives in the voters list for the election to the Maharashtra State Cooperative Tribal Development Corporation.

On hearing the learned counsel for the parties and on a perusal of the impugned order, it appears that there is no scope for interference with the impugned order, in exercise of the writ jurisdiction. As per the public notice published by the respondent No.3, a society was required to pass a resolution between 23.02.2015 and 24.03.2015, appointing its representatives and submit a copy of the resolution to the respondent No.3-Corporation for inclusion of the names of the representatives in the voters list before 24.03.2015. Admittedly, the petitioners did not submit the copy of the resolution passed by the society along with the application for inclusion of the names of their representatives in the voters list. Since there was non compliance of condition in Clause-5 in the public notice, the respondent No.1 rightly rejected the application filed by the petitioners.

The respondent No.1 had rightly held that only the societies that had sent a copy of the resolution before 24.03.2015, could be entitled for inclusion of the names of their representatives in the voters list. Since the copy of the resolution was admittedly not tendered by the petitioners-societies to the respondent No.3, the respondent No.1 rightly rejected the claim of the petitioners for inclusion of the names of their representatives in the voters list. Since there was a non compliance of condition No.5 in the public notice, the impugned order cannot be faulted with.

Since the impugned order is just and proper, the writ petition is dismissed with no order as to costs.

JUDGE

KHUNTE

C E R T I F I C A T E

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P.A.to Hon'ble Judge

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