

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

WRIT PETITION NO. 1351 OF 2017

Mohan Chintaman More
age 54 years, occ. Service
r/o Shashi Chintan
lane No. 7, Deopur
Dhule, Tq. & Dist. Dhule

.. PETITIONER

VERSUS

1. Returning Officer for election to
Committee of Jai Hind Co-operative
Housing Society Ltd. Dhule
Tq. & Dist. Dhule
Co-operative Officer (1st class)
Under Deputy Registrar
Co-operative Societies,
Dhule, Tq. & Dist. Dhule.
2. Jai Hind Co-operative Housing
Society ltd., Dhule
Tq. & Dist. Dhule
through its Secretary
3. Vasantrao Onkar Ishi
age 68 years, occ. Pensioner
r/o Jai Hind Colony,
Behind Jai Hind Bal Mandir,
Deopur, Dhule
Tq. & Dist. Dhule
4. Naresh Ramesh Suryawanshi
age 43 years, occ. Service
r/o Plot No. 40, Jai Hind Nagar
Dhule, Tq. & Dist. Dhule

.. RESPONDENTS

Mr. M.S. Deshmukh, advocate for petitioner.
Mr. V.S. Kadam, advocate for respondent no. 1.
Mr. V.D. Salunke, advocate holding for Mr. S.S. Patil, advocate for
respondent no. 3.

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CORAM : S. B. SHUKRE, J.
DATE : 3rd FEBRUARY, 2017.

ORAL JUDGMENT :

1. Rule. Rule made returnable forthwith.
2. Heard finally by consent of learned counsel for the respective parties.
3. The first ground of challenge is that the copy of the caste certificate filed alongwith nomination paper was not duly attested by respondent no. 3. It is also submitted that the provision does not say that there should be self-attested copy filed alongwith the nomination paper.
4. Upon consideration of Maharashtra Co-operative Societies (Election to Committee) Rules, 2014, specially, rule 20, I find that there is no provision in law for submitting self-attested copy of the caste certificate. Besides, the impugned order also shows that duly attested copy of the caste certificate was enclosed with the nomination paper. I find no merit in the objection taken in this regard against acceptance of nomination paper of respondent no. 3.
5. There is yet another objection which relates to non-compliance of the rule 18 of the Maharashtra Co-operative Societies (Election to Committee) Rules, 2014. However, rule 18 is not applicable to the society and rule 17 is applicable, as rightly submitted by learned counsel for respondent no. 1.

6. In this view of the matter I find that this writ petition deserves to be dismissed. Writ petition is dismissed with costs. Rule discharged.

(S. B. SHUKRE)
JUDGE

dyb