

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

WRIT PETITION NO. 5809 OF 2017

Radhakisan Dagadu Mhaske

..PETITIONER

VERSUS

State of Maharashtra and Others

..RESPONDENTS

**WITH
WRIT PETITION NO. 1339 OF 2017**

Rasul Babaji Patel

..PETITIONER

VERSUS

State of Maharashtra and Others

..RESPONDENTS

....

Mr. A.G. Ambetkar, Advocate for petitioners.

Smt. P.V. Diggikar, A.G.P. for respondent - State.

Mr. G.B. Rajale, Advocate for Respondent No.4.

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**CORAM : K.L. WADANE, J.
(VACATION COURT)**

DATED : 15th MAY, 2017

ORDER :

1. Heard learned Counsel for the petitioner and learned Counsel for Respondent No.4.

2. Both the petitions are filed by the respective petitioners for directions to the respondents to accept the share amount of the respondent –

society and include their names in the final voters list of the respondent – society.

3. Learned Counsel for Respondent No.4 submits that the election program is already declared and final voters list was published on 16th January, 2017. Now, further election program shows that only withdrawal of the nomination and voting is remained. Considering the advance stage of the election process, it will not be desirable to stop the election process in view of the observations in the case reported as ***(2001) 8 SCC 509 (Shri Sant Sadguru Janardan Swami (Monigiri Maharaj) Sahakari Dugdha Utpadak Sanstha and Another Vs. State of Maharashtra and Others)***.

4. In view of the observations of the above cited case, both the petitions are dismissed. The petitioners are at liberty to avail alternate remedy available in law.

(K.L. WADANE, J.)

SSD