

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

**Writ Petition No. 12590 of 2016**

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| District : Jalna |
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1. Ajay s/o. Ambadasrao Rasal,  
Age : 43 years,  
Occupation : Agriculture.
2. Shivdas s/o. Annasaheb Gadekar,  
Age : 40 years,  
Occupation : Agriculture.
3. Uttam s/o. Asaram Hatote,  
Age : 60 years,  
Occupation : Agriculture.
4. Kerbhan s/o. Shankar Shinde,  
Age : 64 years,  
Occupation : Agriculture.

All R/o. Churmapuri,  
Taluka Ambad,  
District Jalna.

.. Petitioners.

**versus**

1. The State of Maharashtra,  
Through its District Deputy  
Registrar,  
Co-operative Societies,  
Jalna, District Jalna.
2. The Assistant Registrar,  
Co-operative Societies,  
Ambad, Dist. Jalna.
3. The Election Officer,  
Churmapuri Vividh Karyakari  
Seva Sahakari Sanstha,  
Churmapuri, Taluka Ambad,  
District Jalna.
4. The Secretary,  
Churmapuri Vividh Karyakari

Seva Sahakari Sanstha,  
Churmapuri, Taluka Ambad,  
District Jalna.

5. The Maharashtra State Co-operative  
Election Authority. .. Respondents.

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*Mr. V.P. Latange, Advocate, for the petitioners*

*Mr. A.R. Kale, Asst. Government Pleader, for  
respondent nos.01 and 02.*

*Mr. S.K. Kadam, Advocate, for respondent  
nos.03 and 05.*

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**CORAM : V.M. KANADE &  
SANGITRAO S. PATIL, JJ.**

**DATE : 04TH JANUARY 2017**

**ORAL ORDER :**

Heard.

02. The petitioners are aggrieved by the final voters' list which has been prepared by the respondents - Authorities. It is submitted that some of the names of persons who are not members of the Society have been included in the said voters' list.

03. The learned Counsel appearing on behalf of respondent nos.03 and 05 submitted that the election process has already begun and tomorrow i.e. 05th January 2017 is the date for withdrawal of nomination.

04. It is well settled that once the election process begins, this Court while exercising its writ jurisdiction under Article 226 of the Constitution of India, is not expected to interfere with the said election process. Secondly, the petitioner has alternate remedy of raising these issues in the election petition if he contests the election and is defeated. Viewed from any angle, we are not inclined to interfere in the matter.

05. The Writ Petition is dismissed. However, all contentions raised in the petition are kept open for agitation in an election petition, if any, filed in future.

( Sangitrao S. Patil )  
JUDGE

( V.M. Kanade )  
JUDGE

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