

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION (L) NO.3169 OF 2017

Noor Mohamed Fodkar & Ors.

.... Petitioners

versus

Maharashtra State Co-operative
Election Authority & Ors.

... Respondents

.....

- Mr.Nizamuddin Khan a/w Ms. Shaba N. Khan, Advocate for the Petitioners.
- Mr.Milind More, AGP for the Respondent Nos.1 to 3.
- Mr.Imtiyaz Patel, Advocate for the Respondent Nos.4, 5 and 6.

**CORAM : R. M. SAVANT &
SARANG V. KOTWAL, JJ.
DATE : 06th DECEMBER, 2017.**

P.C. :

1. The above Petition is filed on the basis that the term of the Managing Committee of the Respondent No.4 Society having ended, it was incumbent on the authority exercising powers under the Maharashtra Co-operative Societies Act to appoint an Administrator and hold elections.

2. We are informed by the learned Counsel Mr. Patel, appearing for the Respondent No.4 society and the learned

Additional Government Pleader Mr. More that the election programme is in process and is at the stage where the final voters' list is to be published. In terms of section 73 (I) of the Maharashtra Co-operative Societies Act, it is incumbent on the part of the Managing Committee to take steps to hold elections six months prior to its term coming to an end.

3. That we are informed has been done by the Managing Committee and it is pursuant thereto that the election programme has been set in motion and is at the stage where the final voters' list is to be published. The Petitioner seems to have various grievances as regards the final voters' list etc. It is not for this Court to exercise powers u/s 226 of the Constitution of India to go into said aspect. If the Petitioners are aggrieved by the voters' list or the manner in which the elections are being held, then it is open for the Petitioner to file appropriate proceedings to challenge the said election after the same are completed. Hence there is no merit in the above Petition, which to accordingly stand dismissed.

(SARANG V. KOTWAL, J.)

(R. M. SAVANT, J.)