

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

BENCH AT AURANGABAD.

WRIT PETITION NO.9803 OF 2017

Dr.Shri Sanjay Krishnaji
Bhokardole ... Petitioner.

Versus

The State of Maharashtra
and others. ... Respondents.

...
Mr.N.K.Tungar, advocate for the petitioner.
Mr.S.G.Karlekar, A.G.P. for the State.
...

**CORAM : S.V.GANGAPURWALA AND
A.M. DHAVAL, JJ.**

Date : 19.03.2018.

PER COURT :

1. Mr.Tungar, learned counsel for the petitioner submits that the petitioner has raised objection with regard to the election programme and the conduct of the elections. The conduct of the election was not transparent. The voters list was also improperly prepared. The bifurcation was not made in the voters list. The

nomination of the petitioner was accepted, however, during the scrutiny the nomination papers were illegally rejected on erroneous grounds.

2. The Returning Officer acted in a partisan manner. Even the information as sought by the petitioner was not given. Various objections were raised. Appeal filed by the petitioner was kept pending for two years. The Respondents have committed illegality for which the petitioner can not be made to suffer.

3. We have heard learned A.G.P.

4. The elections are already concluded. The remedy available to the petitioner is to file Election Petition or dispute U/s 91 of the Maharashtra Cooperative Societies Act. Only because limitation period for filing dispute is over, the same can not be a ground to entertain the Writ Petition. The elections which are assailed are of the year 2015 and the petition is filed in the year 2017.

5. Considering above, this Court would not invoke its writ jurisdiction.

6. The Writ Petition as such is disposed of. No costs.

(A.M.DHAVAL, J.)

(S.V.GANGAPURWALA, J.)

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