

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

WRIT PETITION NO.2615 OF 2020

**DNYANOBA SHIVAJIRAO POUL AND OTHERS
VERSUS
THE DISTRICT CO OPERATIVE ELECTION OFFICER AND DISTRICT
DEPUTY REGISTRAR AND OTHER**

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Advocate for the Petitioners : Shri Ghatol Patil Shahaji B.

Advocate for Respondents 1 to 3 : Shri S.K.Kadam

Advocate for Respondent 4 : Shri V.B.Kale

AGP for Respondent 5/ State : Shri A.S.Shinde

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 20th February, 2020

Per Court:

1 The petitioners are aggrieved by the order dated 08.01.2020 passed by respondent No.1 by which, non inclusion of these petitioners in the valid voters list by respondent No.2, has been sustained. The names of these petitioners are not entered in the valid voters list in relation to respondent No.4 cooperative society's elections.

2 I have heard the learned advocates for the petitioners, respondent Nos.1 to 4 and the learned AGP on behalf of respondent No.5.

3 Respondent No.1 had called for objections with regard to the provisional voters list in order to convert the same into a final voters list after hearing the objectors. Time for raising objections was scheduled in between 20.12.2019 to 30.12.2019. These petitioners have raised their

objections on 04.01.2020. Yet, respondent No.1 has considered their objections and has recorded that they have produced certain receipts, all dated 12.12.2016, indicating that they have purchased the shares of the respondent No.4 Society.

4 I have perused the said receipts and I find that there is no stamp of respondent No.4 Society. The name of the Society is handwritten and the Society has not published its own receipt book. The signature of the Secretary without mentioning of his name, appears on the receipts. There is no signature of the person making the payment. The original register containing the names of the shareholders was not produced. When this Court demanded the production of the register of members vide order dated 11.02.2020, it is now informed that the said register is missing/ stolen and a First Information Report has been registered against unknown persons.

5 With such suspicious record available and since the polling is scheduled on 24.02.2020 and the final voters list as well as the list of contesting candidates has already been published, I do not find that this Writ Petition deserves to be entertained. The impugned orders do not appear to be perverse or erroneous. This Writ Petition, being devoid of merit, is dismissed.