

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
979 WRIT PETITION NO.3210 OF 2021**

LAXMI MAGASWARGIYA MAJUR SAHAKARI SANTHA LTD.,
SHAHAJINAGAR, DEGLOOR THR ITS CHAIRMAN
..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Abhijit G. Choudhari, Advocate for the
Petitioner.
Mrs. V. S. Choudhari, AGP for Respondents-State.
Mr. S. K. Kadam, Advocate for Respondent Nos.2 and
3.
Mr. K. J. Suryawanshi, Advocate for Respondent
No.4.

...
**CORAM : S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.
DATED : 17th FEBRUARY, 2021.**

PER COURT:-

1. We have heard Mr. Choudhari, learned
counsel for the petitioner, learned A.G.P. and Mr.
Kadam, learned counsel for respondent nos.2 and 3.

2. Mr. Choudhari, learned counsel submits
that the Resolutions were invited for nominating
the nominees upto 18.03.2020. The learned counsel
submits that the petitioner-Society by conducting
meeting on 05.01.2020 nominated its Chairman as
nominee of the Society for election of respondent
no.4 to be held for the year 2020-2025. The
resolution was submitted to the office of
respondent no.3 on 14.01.2020 well within the time
prescribed by the Authority. The learned counsel
further submits that the name of the nominee of the

petitioner-society is not included in the provisional voters list. Enquiry was made. The petitioner was assured that their name should be included in the final voters list. The learned counsel submits that no fault lies with the petitioner-Society. The learned counsel submits that final voters list is published on 08.02.2021.

3. Mr. Kadam, learned counsel for respondent nos.2 and 3 on instructions accepts that the resolution was received from the petitioner-Society within prescribed time, however, by mistake the name of the petitioner's nominees remained to be included.

4. The election programme is not yet declared. It appears that, the petitioner well within prescribed time had submitted its nominee by passing Resolution. No fault can be attributed to the petitioner. In that event, the petitioner cannot be made to suffer.

5. The respondent no.2 shall include name of the petitioner's nominee in the final voters list of respondent no.4-Bank.

6. Writ Petition accordingly disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE