

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

Writ Petition No. 9286 of 2021

Shri Gorakh Gangaram Shinde & ors.	...	Petitioners
v/s.		
The State of Maharashtra & ors.	...	Respondents

Mr. J.D.Khairnar i/b. Mr.Santosh L. Patil for the petitioners.
Ms. Vaishali S. Nimbalkar, AGP for the State.

CORAM : G.S.KULKARNI, J

20th December 2021

P.C.

Not on Board. Taken on Board on a precipe being moved on behalf of the Petitioner.

1. Heard Mr.Khairnar, the learned counsel for the petitioners and Ms. Nimbalkar, the learned AGP for the State.
2. By an order dt.06/12/2021, the Election Officer has rejected the nomination claim filed by the petitioners on the ground that they stand not qualified as per Clause -9 (1)1 read with sub-clause 2(a) on the ground that petitioners are not the general loan account holders. Such order came to be assailed by the petitioners by approaching the

Assistant Registrar for Co-operative Societies, Chandwad, Dist. Nashik who vide impugned order dt.15/12/2021 has rejected the petitioner's appeal.

3. Having perused the record and the impugned order dt.15/12/2021 passed by the Assistant Registrar for Co-operative Societies, in my opinion, no case has been made out by the petitioners for interference in the exercise of writ jurisdiction of this Court under Article 226 of the Constitution of India.

4. The concerned constituency for which elections are held is clearly a constituency for 'सर्वसाधारण कर्जदार', (general loan account holders) admittedly, the petitioners do not have any existing loan accounts. The intention of the society in providing such requirement was to grant an opportunity to such members who have availed loan facilities of a representation on the managing committee of the Society. The Election Officer as well as Appellate Authority have correctly applied the Bye-laws in question, in rejecting the petitioner's claim.

5. In the above circumstances, writ petition is without merit. It is accordingly dismissed. No costs.

(G.S.KULKARNI, J)