

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.4797/2021

Dhananjay Narayan Navghare

...Versus...

Tahsil Co-operative Election Officer and Assistant Registrar Cooperative Societies, Armori, Dist. Gadchiroli and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Mr. P.S. Tidke, Advocate for petitioner
Ms N.P. Mehta, AGP for respondent no.1/Election Officer
Mr. R.M. Pande, Advocate for respondent no.2
Mr. V.N. Morande, Advocate for respondent nos.3 to 12
Mr. M.R. Bhusari, Advocate for respondent nos.13 and 14

CORAM : AVINASH G. GHAROTE, J.

DATE : 21/12/2021

1. This petition challenges the order dated 18/11/2021, passed by the respondent no.1, whereby the names of the respondent nos.3 to 14 have been included in the voters' list, by rejecting the objections raised by the petitioner. The impugned order merely states that no proof has been submitted for rejection of the objections, as against which, the reply of the respondent no.2-Society dated 15/11/2021, indicates that a considered statement was made that the respondent nos.3 to 14 were not the members and the documents, as indicated therein, were

enclosed. The impugned order clearly indicates that this has not been considered by the respondent no.1 while passing the impugned order, which clearly indicates a non-application of mind, considering which, the impugned order is hereby quashed and set aside and the matter is remanded back to the respondent no.1 to consider the objections, in light of the documents and the reply of the respondent no.2-Society and pass an appropriate order in that regard in any case by 24/12/2021.

2. The parties are directed to appear before the respondent no.1 on 22/12/2021 at 12:00 noon and place all documents, on which they seek to rely, on 22/12/2021 itself. The matter shall be heard on 22/12/2021 itself and appropriate orders shall be passed latest by 24/12/2021.

3. The writ petition is allowed accordingly. There shall be no order as to costs.

4. Steno copy of this order is granted.

(AVINASH G. GHAROTE, J.)

Wadkar