

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

WRIT PETITION NO.21 OF 2022

**MACHINDRA DADA MORE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Petitioner : Ms. S. A. Kale h/f Mr. A. B. Kale
AGP for Respondents – State : Mr. Y. G. Gujrathi
Advocate for Respondent Nos. 2 to 4 : Mr. S. K. Kadam

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 04th JANUARY, 2022

PER COURT :

1. The objection of the petitioner for inclusion of names of respondent Nos. 7 to 11, who are the members of respondent No.5 and respondent No.6 Cooperative Societies, in the voters list is rejected by the returning officer. This order is impugned in the petition. The learned advocate for petitioner seeks stay to the provisional voters list as the same is to be finalised today as per the election program.
2. The learned advocate for respondent Nos. 2 to 4 raised issue of maintainability of the writ petition, in view of availability of alternate remedy to the petitioner.
3. This Court, by relying on decision of the Division Bench of this Court at Principal Seat in **Dattatray Genaba Lole and Others Vs. The**

Divisional Joint Registrar, Cooperative Societies, Pune and Others, Writ Petition No.5878/2021, has already taken a view that, in view of availability of alternate and efficacious remedy under Section 91 of the Maharashtra Cooperative Societies Act, 1960, read with Rule 78 of the Maharashtra Cooperative Societies (Election to Committee) Rules, 2014, the petition is not maintainable.

4. In that view of the matter, the writ petition is dismissed with liberty to the petitioner to avail the alternate remedy. All the contentions of the petitioner are kept open.

(NITIN B. SURYAWANSHI, J.)