

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2009 OF 2022
SANJAY GOURISHANKAR DESHMUKH
VERSUS
STATE CO-OPERATIVE ELECTION AUTHORITY

...
Advocate for Petitioner : Mr. V. B. Deshmukh
Advocate for Respondents No.1 and 2 : Mr. S. K. Kadam

...
CORAM : NITIN B. SURYAWANSHI, J.

DATE : 09-02-2022

PER COURT :-

The petitioner, a candidate contesting the election of Osmanabad District Central Co-operative Bank, has objected to the nomination of respondent no. 3. By the impugned order, said objection is rejected.

2. Mr. Kadam, learned Advocate for respondents no. 1 and 2, by placing reliance on the decision of this Court at principal seat, in Writ Petition no. 5878 of 2021 (*Dattatraya Genaba Lole and Others Versus The Divisional Joint Registrar Co-operative Societies, Pune and Others*) submitted that, the petitioner has alternate efficacious remedy, hence, the petition may be dismissed.

3. The Division Bench in above ruling has taken a view that the petitioner has alternate efficacious remedy of filing election petition under Section 91 of the Maharashtra Co-operative Societies Act read with Rule 78 of the Maharashtra Co-operative Societies Rules.

4. In that view of the matter, Writ petition is dismissed with liberty to the petitioner to file election petition under Section 91 of the Maharashtra Co-operative Societies Act read with Rule 78 of the Maharashtra Co-operative Societies Rules. All the contentions of the petitioner are kept open.

(NITIN B. SURYAWANSHI)
JUDGE

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