

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

WRIT PETITION NO.2899 OF 2022

SUNIL DADASAHEB PACHPUTE AND OTHERS

VERSUS

THE DISTRICT CO-OPERATIVE ELECTION OFFICER / DISTRICT
DEPUTY REGISTRAR, CO-OPERATIVE SOCIETIES AND OTHERS

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Mr. R. N. Dhorde, Senior Counsel, i/b Mr. Vikram R. Dhorde, Advocate for
Petitioners.

Mr. V. H. Dighe, Advocate for Respondent Nos.1 & 2.

Mr. Mahesh S. Deshmukh, Advocate for Intervenor.

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CORAM : **SHRIKANT D. KULKARNI, J.**

RESERVED ON : 26th February, 2022.

PRONOUNCED ON : 28th February, 2022.

ORDER:

. The petitioners have challenged the impugned order dated 21st February, 2022 passed by respondent No.1 – District Co-operative Election Officer thereby rejecting the objection submitted by the petitioners on the provisional voters list for inclusion of their names in the final voters list by invoking writ jurisdiction under Article 227 of the Constitution of India.

2 Heard Mr. R. N. Dhorde, learned senior counsel instructed by Advocate Mr. Vikram R. Dhorde, for petitioners, Mr. Mahesh

Deshmukh, learned counsel for Intervenor and Mr. V. H. Dighe, learned counsel for respondent Nos.1 and 2.

3 This Court has dismissed Writ Petition No.2784 of 2022 and Writ Petition No.2785 of 2022 involving similar subject by holding that the writ petitions cannot be entertained relating to disputed questions of law and facts for finalization of voters list of a Co-operative Society.

4 In view of in detail order with reasons passed by this Court in the above said two writ petitions, the instant writ petition is also not maintainable in view of the Division Bench decision of this Court in case of *Dattatray Genaba Lole and others Vs. The Divisional Joint Registrar, Cooperative Societies, Pune and others* (Writ Petition No.5878 of 2021, dated 26th November, 2021). The petition must fail. Hence, the following order is passed:

ORDER

- I. The writ petition stands dismissed as not maintainable with liberty to the petitioners to avail appropriate legal remedy available under Section 91 of the Maharashtra Co-operative Societies Act, 1960 read with Rule 78 of the Maharashtra Co-operative Societies (Election to Committee) Rules, 2014.

- II. All the contentions of the petitioners are kept open.
- III. The writ petition is accordingly disposed of.
- IV. No order as to costs.

[SHRIKANT D. KULKARNI, J.]

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