

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.3075 OF 2022

SHIVAJI BABURAO MOHALE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS

...

Advocate for Petitioner : Mr. Dhananjay Mane
AGP for Respondent-State- Mr. S.B. Pulkundwar
Advocate for Respondents No. 2 and 3 : Mr. S.K. Kadam
Advocate for Respondent No. 4: Mr. Ashutosh Sisodiya h/f. Mr. P.D.
Bachate.

.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 11th MARCH, 2022

ORDER :

1. The name of the Petitioner is deleted from the final voters list of Respondent No. 4-Society. It is the contention of the Petitioner that, the he is a member of the said society since 1997 and he was Vice President of the said Society in the year 1997-98. The name of the Petitioner is deleted in view of say filed by the Secretary of Respondent No. 4 that as per the record maintained by the Respondent No. 4, the Petitioner has not deposited the share amount with the Respondent No. 4, and therefore, his name is not in the share register of the Society.

2. Since the impugned order is passed on the basis of record maintained by Respondent No. 4 and in view of Division Bench decision in the case of “Dattatray Genaba Lole V/s Divisional Joint Registrar” 2022(1) Bom CR 471 the Petitioner has alternate efficacious remedy of filing election dispute after declaration of result. In that view of the matter, this Court is not inclined to entertain the petition. The writ petition is therefore, dismissed with liberty to the Petitioner to avail alternate remedy. All the contentions of Petitioner are kept open.

[NITIN B. SURYAWANSHI]
JUDGE