

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

WRIT PETITION NO.3453 OF 2022

SHIVAJI MAHADEO JADHAV
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. A. N. Irpatgire
AGP for Respondents – State : Mr. S. N. Kendre
Advocate for Respondent Nos. 2 & 3 : Mr. V. H. Dighe

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 11TH MARCH, 2022

PER COURT :

1. The objection filed by the petitioner about non-inclusion of 342 members in the final voters' list is partly allowed by respondent No.3. However, according to the petitioner still 174 members are not included in the final voters' list. Hence, the petitioner has challenged the said order to the extent of non inclusion of 174 members to the final voters' list of respondent No.5 Society.

2. The petition raises several disputed facts which cannot be gone into at this stage. As has been held in **Dattatray Genaba Lole and Others Vs. The Divisional Joint Registrar, Cooperative Societies, Pune and Others**, reported in **2022(1) BomCR 471**, the preparation and finalisation of final voters' list is an intermediate stage and the petitioner

has alternate efficacious remedy of filing election petition after the declaration of results.

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

(NITIN B. SURYAWANSHI, J.)