

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.3564 OF 2022

TRIMBAK SAMBHAJI MOHITE AND OTHERS
VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr. Shahaji B. Ghatol Patil

AGP for Respondents – State : Mr. S. N. Kendre

Advocate for Respondent Nos. 5 to 7 : Mr. V. H. Dighe

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 15TH MARCH, 2022

PER COURT :

1. The petitioners are aggrieved by non-inclusion of their names in the final voters' list of respondent No.8 society. The petitioners submitted their claim to the provisional voters' list and sought inclusion of their names. The said claim was turned down by respondent No.6.

2. The learned advocate for petitioners relied on *Dalsing s/o Shamsing Rajput Vs. State of Maharashtra and Others*, reported in *2006(3) Mh.L.J. 592* and *Shriram Sahakari Dudh Utpadak Sanstha Maryadit and Another Vs. State of Maharashtra and Others*, reported in *2022(1) Mh.L.J. 656*.

3. Several disputed questions of facts are involved in the present petition. The Division Bench of this Court in **Dattatray Genaba**

Lole and Others Vs. The Divisional Joint Registrar, Cooperative Societies, Pune and Others, reported in **2022(1) BomCR 471**, held that preparation and finalisation of voters' list is an intermediate stage of the election process and in view of availability of alternate remedy the writ petition is not maintainable.

5. In the light of the above, writ petition is dismissed with liberty to the petitioners to avail alternate remedy. All the contentions of the petitioners are kept open.

(NITIN B. SURYAWANSHI, J.)