

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

WRIT PETITION NO.3563 OF 2022

YOGESH ALIAS AGASTI BALAJI DHONE 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. W. Munde
Advocate for Respondent Nos. 5 to 7 : Mr. V. H. Dighe
Advocate for Caveator not made party : Mr. A. D. Khot h/f
Mr. P. D. Bachate

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 15TH MARCH, 2022

PER COURT :

1. The objection raised by respondent No.9 to the inclusion of the petitioners' name in the final voters' list of respondent No.8 Society came to be allowed and the names of the petitioners are deleted from the final voters' list by the impugned order passed by respondent No.6.
2. Respondent No.6 on receipt of objection called report from respondent No.7 and after considering his report as well as the audit report of respondent No.8 Society deleted names of the petitioners from the final voters' list.
3. In support of the submissions 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*.

4. 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.)