

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

WRIT PETITION NO.3775 OF 2022

**PREMNATH MANOHAR SURYAWANSHI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Petitioner : Ms. Sujata Laxman Puri
AGP for Respondents – State : Mr. S. B. Pulkundwar
Advocate for Respondent No.2 : Mr. S. K. Kadam

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 22ND MARCH, 2022

PER COURT :

1. The petitioner is aggrieved by the order dated 11-02-2022 passed by respondent No.2 District Cooperative Election Officer and the District Deputy Registrar, Osmanabad.

2. According to the petitioner he objected inclusion of names of 120 members of respondent No.4 Society in the final voters' list. The said objection is not considered by respondent No.2 and names of 120 members appeared in the final voters' list published on 04-03-2022. The petitioner also contends that his proceedings filed under Section 11 of the Maharashtra Cooperative Societies Act, 1960 read with by-law No.6(A), is pending before respondent No.3 Assistant Registrar, Cooperative Societies, Umarga, Osmanabad.

3. The learned advocate representing respondent No.2, on instructions, submits that there is no objection raised by the petitioner on record. The objection which the petitioner alleges to have filed, which is placed on record at page No.24 of the petition, does not bear any acknowledgment of receipt of the same. He further submits that the election programme is declared on 21st March, 2022.

4. In the light of the above facts, since this petition raises disputed questions of facts and as the election programme is declared, this Court is not inclined to entertain the writ petition. The petitioner has alternate remedy in view of the Division Bench judgment 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**.

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

(NITIN B. SURYAWANSHI, J.)