

drp

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.3973 OF 2022

Mahadeo Pandurang Ambhure

PETITIONER

VERSUS

The State of Maharashtra and Others

RESPONDENTS

Mr. D. A. Mane h/f Mr. S. T. Pankhade Advocate for the petitioner
Mr. S. W. Munde, AGP for respondent - State
Mr. S. K. Kadam, Advocate for respondents No. 2 and 3

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 31st MARCH, 2022

ORDER :

1. The objection filed by the petitioner for inclusion of names of 40 members in the provisional voters' list of respondent No. 5 society is rejected by respondent No. 3 – election officer on the ground that under section 11 of the Maharashtra Co-operative Societies Act, the Registrar is the competent authority to decide membership and whether the members have agricultural lands in the area of operation of the said society.

2. The petition raises several disputed questions of facts and in view of decision of the Division Bench of this Court at Principal Seat in Writ Petition No. 5878 of 2021 (*Dattatray Genaba Lole*

and Others V/s The Divisional Joint Registrar Co-operative Societies, Pune and Others), since the petitioner has an alternate efficacious remedy, this Court is not inclined to entertain the writ petition.

3. Writ petition is, therefore, dismissed with liberty to the petitioner to avail alternate efficacious remedy. All the contentions are kept open.

[NITIN B. SURYAWANSHI]
JUDGE

drp/wp3973-22