

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

WRIT PETITION NO.3952 OF 2022

**SANDEEP NANASAHEB BHONGAL AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Petitioners : Mr. Laxman H. Kawale
AGP for Respondents – State : Mr. P. N. Kutti
Advocate for Respondent No.2 : Mr. S. K. Kadam
Advocate for Respondent No.3 : Mr. R. R. Karpe

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 06TH APRIL, 2022

PER COURT :

1. The petitioners are aggrieved by non-inclusion of their names in the final voters' list of respondent No.3 Society, published on 22-03-2022. The objection taken by the petitioners seeking inclusion of 35 members' names in the final voters' list is rejected by respondent No.2 on the ground that the objection is vague. The petitioners seek to support their objection by placing reliance on the final voters' list of earlier elections.

2. Respondent No.3 by filing affidavit-in-reply has come up with the case that the petitioners have resigned from the membership of respondent No.3 Society. Resolution dated 16-03-2022 is placed on record in support of the said contention.

3. The learned advocate for respondent No.2 submits that the election programme is published today and election process therefore, has commenced.

4. Since the petition raises several disputed questions of facts, this Court is not inclined to exercise extraordinary jurisdiction in favour of the petitioners at this stage.

5. In the light of **Dattatray Genaba Lole and Others Vs. The Divisional Joint Registrar, Cooperative Societies, Pune and Others**, reported in **2022(1) BomCR 471**, the petitioners have alternate and efficacious remedy available.

6. 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.)