

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

WRIT PETITION NO.4188 OF 2022

**RAOSAHEB MANGO PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Petitioner : Mr. S. P. Brahme h/f Mr. Syed Azizoddin R.
AGP for Respondents/State: Mr. S. B. Pulkundwar
Advocate for Respondent No.2 to 4: Mr. V. H. Dighe

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 12th April, 2022

ORDER :

1. The petitioner raised an objection to the nomination of respondent nos.7 to 18 contending that they have incurred disqualification as contemplated under Section 73CA of the Maharashtra Co-operative Societies Act, 1960. The said objection is rejected by respondent no.4/Returning Officer on the ground that it is vague.

2. Since this petition raises several disputed questions of fact and as election process is already in progress, this Court is not inclined to entertain the petition at this stage.

3. In the light of decision in **Dattatray Genaba Lole and Others Vs. The Divisional Joint Registrar, Co-operative Societies, Pune and Others**, reported in **2022(1) BomCR 471**, the petitioner has alternate efficacious remedy. The writ petition is, therefore, dismissed, by granting liberty to the petitioner to avail alternate remedy. All contentions of the petitioner are kept open.

[NITIN B. SURYAWANSHI, J.]

Sameer