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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.4312 OF 2022

Suresh Bhausahab Modke

PETITIONER

VERSUS

The Secretary State Co-operative Election
Authority and Others

RESPONDENTS

.....

Mr. Prasad D. Jarare, Advocate for the petitioner

Mr. S. K. Kadam, Advocate for respondents No.1 to 3

Mr. K. J. Suryawanshi, Advocate for respondent No.5

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 13th APRIL, 2022

ORDER :

1. Objection taken by the petitioner to the nomination of respondent No.4 is rejected by the returning officer, respondent No.3. on the ground that the petitioner has failed to substantiate the said objection by producing any evidence in support of the same.

2. The petition raises several disputed questions of facts and since the election process is in progress and as the petitioner has alternate efficacious remedy 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), this court is not inclined to entertain the writ petition at this stage.

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

[NITIN B. SURYAWANSHI]
JUDGE

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