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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.4314 OF 2022

Sunil Nana Borase

PETITIONER

VERSUS

Deputy Registrar Co-operative Society & Another RESPONDENTS

Mr. Rahul S. Pawar, Advocate for the petitioner

Mr. S. N. Kendre, AGP for respondent - State

Mr. S. K. Kadam, Advocate for respondent No.2

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 13th APRIL, 2022

ORDER :

1. The petitioner is aggrieved by rejection of his nomination form for the election of Anchade Multi Purpose Co-operative Society, Ltd., Anchade, Taluka and District – Dhule.
2. The nomination of the petitioner is rejected on the ground that the petitioner filled in his nomination form from borrower category, when in fact he is a non borrower member of the said society.
3. Learned advocate for the petitioner submits that in similar circumstances, nomination forms of two other persons are accepted by the returning officer – respondent No. 2.

4. Learned advocate for respondent No. 2 contends that since there was objection to the nomination of the petitioner, his nomination has been rejected, upholding the objection. There may not be objections to the forms of other two similarly situated persons, whose nominations have been accepted in the similar circumstances.

5. The writ petition raises several disputes questions of facts and as the petitioner has alternate remedy in view of decision of 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*) and as the election programme is in advanced stage, this Court is not inclined to entertain the writ petition at this stage.

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

[NITIN B. SURYAWANSHI]
JUDGE