

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

WRIT PETITION NO.4402 OF 2022

**NAMDEO VITTHALRAO DEVANGARE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Petitioner : Mr. A. N. Irpatgire
AGP for Respondents – State : Mr. P. N. Kutti
Advocate for Respondent Nos. 2 & 3 : Mr. S. K. Kadam

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 19TH APRIL, 2022

PER COURT :

1. The petitioner objected to the nomination of respondent No.4 for contesting election of respondent No.5 Society, on the ground that she is having four children. In support of the objection the petitioner filed School Register extract of children of respondent No.4 on record. Respondent No.3 has rejected the objection and accepted the nomination holding that the certificate of competent authority in support of the objection is not placed on record.

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

3. 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 petitioner has alternate and
efficacious remedy available.

4. In the light of the above, writ petition is dismissed with
liberty to the petitioner to avail alternate remedy. All the contentions of
the petitioner are kept open.

(NITIN B. SURYAWANSHI, J.)