

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

WRIT PETITION NO.4423 OF 2022

RAGHUNATHRAO DATTARAO DESHMUKH
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Ghatol Patil Shahaji B.
AGP for Respondents/State: Mr. S. B. Pulkundwar
Advocate for Respondent Nos.5 to 7: Mr. S. K. Kadam

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 19th April, 2022

ORDER :

1. The petitioner is aggrieved by the order dated 01/04/2022, passed by respondent no.6/Election Officer, thereby accepting the objection filed by respondent nos.9 to 14 and adding names of 617 persons in the final voters list of respondent no.8/Society.
2. According to the petitioner, the said 617 persons did not fulfill the conditions laid down in the Act, Rules and bye-laws, and they have not deposited share amount and membership fees with the Society. Therefore, their names should not have been added in the final voters list. In support of his contention, the learned Advocate for the petitioner has placed reliance on **Arun Yashwant Kulkarni Vs.**

State of Maharashtra & Ors. reported in 2021 (4) Mh.L.J., Pandurang Hindurao Patil Vs. State of Maharashtra & Ors. reported in 1983 Mh.L.J. 1081, Shriram Sahakari Dudh Utpadak Sanstha Maryadit & Anr. Vs. State of Maharashtra & Ors. reported in 2022 (1) Mh.L.J 656.

3. This petition raises several disputed questions of facts. The final voters list is declared on 05/04/2022. Hence, this Court is not inclined to entertain the petition at this stage.

4. 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 remedy available.

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

[NITIN B. SURYAWANSHI, J.]