

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

WRIT PETITION NO.4508 OF 2022

**DEVIDAS DAMODHAR NAGWADE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS**

...

Advocate for Petitioners : Mr. Karpe Rahul R.
AGP for Respondents/State: Mr. P. N. Kutti
Advocate for Respondent Nos.2 & 3: Mr. V. H. Dighe

...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 21st April, 2022

ORDER :

1. The petitioners have raised objection seeking deletion of 63 persons from the membership register of respondent no.5/Society. The respondent no.3/Returning Officer has rejected the said objection. The said order is not impugned in the present petition. According to the petitioners, the petitioners have also approached the Assistant Registrar, Co-operative Societies, Newasa under Section 11 of the Maharashtra Co-operative Societies Act, 1960 (for short "the Act 1960") seeking deletion of the said members. The petitioners now seek a relief that the said proceedings filed by them before the

Assistant Registrar, Co-operative Societies, Newasa on 12/04/2022 be directed to be decided before the date of finalization of the voters list on 25/04/2022.

2. Since this petition raises several disputed questions of facts and as the date of finalization of voters list is 25/4/2022, it is not possible to direct the Assistant Registrar, Co-operative Societies, Newasa to decide the application filed by the petitioners within one day i.e. by tomorrow.

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 petitioners have alternate efficacious remedy. The writ petition is, therefore, dismissed with liberty to the petitioners to avail alternate remedy. All contentions of the petitioners are kept open.

[NITIN B. SURYAWANSHI, J.]