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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.4652 OF 2022

Dhondiram Chandrabhan Khade

PETITIONER

VERSUS

The State Co-operative Election Authority & Ors. RESPONDENTS

Mr. Kamlakar J. Suryawanshi, Advocate for the petitioner

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

Mr. S. K. Kadam, Advocate for respondents No.1 and 2

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 26th APRIL, 2022

ORDER :

1. The objection raised by the petitioner seeking deletion of 54 names from the final voters' list of respondent No. 4 society is rejected by District Co-operative Election Officer – respondent No.2. The petitioner is aggrieved by the same.

2. The objection of the petitioner is rejected by taking into consideration the say of Taluka Co-operative Election Officer and the say of respondent No.4 society that the 54 members, whose names are sought to be deleted from the final voters' list, are valid members of respondent No.4 society prior to 31st March, 2014 and hence, their names cannot be deleted.

3. This petition raises several disputed questions of facts, which cannot be gone into in the present writ petition at this stage. The members, whose names are sought to be deleted, are not made party to the present writ petition. In view of the 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*), the petitioner has alternate efficacious remedy. Writ petition is, therefore, dismissed with liberty to the petitioner to avail alternate remedy.

4. All the contentions of the petitioner are kept open.

[NITIN B. SURYAWANSHI]
JUDGE