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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.5055 OF 2022

Ganeshwadi Vividh Karyakari Seva Sahakari Society
Ltd., Through its President PETITIONER

VERSUS

The Commissioner State Co-operative Election
Authority, Maharashtra State and Others RESPONDENTS

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Mr. Ajeet B. Kale h/f Mr. P. R. Talwar, Advocate for the petitioner
Mr. S. K. Kadam, Advocate for respondent No. 1
Mr. P. N. Kutti, AGP for respondent - State
Mr. Narendra B. Patekar, Advocate for respondent No.4
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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 4th MAY, 2022

ORDER :

1. The petitioner is aggrieved by the order passed by the Divisional Joint Registrar, Co-operative Societies, Nashik Division, Nashik – respondent No.2, thereby rejecting stay application of the petitioner.
2. The petitioner, by filing appeal No. A43 of 2022, challenged the order passed by the Assistant Registrar, Co-operative Societies, Newasa – respondent No.3, thereby removing names of 108 members of the petitioner society from members' register and also sought stay to the order impugned in the appeal. By the

impugned order, stay is refused.

3. According to the petitioner, the impugned order passed by the Assistant Registrar is without hearing the said members. They are members of the petitioner society since long and the petitioner society is in a position to prove that the said members are eligible and entitled to vote in the ensuing elections.

4. This petition, since raises several disputed questions of facts, this court is not inclined to go into the same at this stage. However, taking into consideration the fact that the substantive appeal filed by the petitioner before respondent No.2 is pending and since the election programme of the petitioner society is yet to be declared, this petition is disposed of by directing respondent No.2 to take decision in the appeal filed by the petitioner within a period of one week from today.

[NITIN B. SURYAWANSHI]
JUDGE