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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5021 OF 2022

Ankush Digambar Dattaraj and Others

PETITIONERS

VERSUS

The State of Maharashtra and Others

RESPONDENTS

.....

Mr. Kamlakar J. Suryawanshi, Advocate for the petitioners

Mr. S. K. Kadam, Advocate for respondents No. 1 to 3

Mr. A. N. Irpatgire, Advocate for respondent No.4

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 6th MAY, 2022

ORDER :

1. The petitioners are aggrieved by non inclusion of their names in the final voters' list of respondent No.4 society by the order passed by respondent No.2.

2. Learned advocate for the petitioners fairly submits that names of the petitioners No.23 and 33 are already included in the final voters' list of respondent No.4 society, therefore, this petition is not pressed to their extent.

3. Perusal of the impugned order shows that the petitioners have failed to deposit the increased share amount, in spite of

notices having been issued to them in that behalf.

4. Learned advocate for respondent No.4 has filed affidavit in reply and has specifically contended that notices were issued to the petitioners calling upon them to pay the increased share amount, however, the petitioners have failed to do so.

5. This petition raises several disputed questions of facts, which cannot be gone into at this stage. In view of 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*), since the petitioners have alternate efficacious remedy, this writ petition is dismissed with liberty to the petitioners to avail the alternate remedy.

6. All the contentions are kept open.

[NITIN B. SURYAWANSHI]
JUDGE