

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

WRIT PETITION NO.5057 OF 2022

**BALASAHEB SADASHIV SHINDE
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE SECRETARY AND
OTHERS**

...
AAdvocate for Petitioner :Mr. Bhagwat Nilesh N.
AGP for Respondents – State : Mr. S. N. Kendre
Advocate for Respondent Nos. 2 & 4 : Mr. S. K. Kadam

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 05th MAY, 2022

PER COURT :

1. Objection raised by the petitioner to the nomination of respondent Nos. 6 to 9 on the ground that they have not filled in the nomination forms as per rules, is not considered by respondent No.4 returning officer. The petitioner, therefore, prays that respondent No.4 returning officer may be directed to reject the nomination forms of respondent Nos. 6 to 9, as they have failed to fulfill the mandatory requirements under the Maharashtra Cooperative Societies Act and Rules as well as the guidelines issued by the State Cooperative Election Authority, Maharashtra State, Pune.

2. Since this petition raises several disputed questions of facts, this Court is not inclined to entertain the writ petition as the election

process is in advanced stage.

3. In the light of **Dattatray Genaba Lole and Others Vs. The Divisional Joint Registrar, Cooperative Societies, Pune and Others**, reported in **2022(1) BomCR 471**, the petitioner has alternate and efficacious remedy available.

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

(NITIN B. SURYAWANSHI, J.)