

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

**WRIT PETITION NO.5015 OF 2022
WITH CIVIL APPLICATION NO.7000 OF 2022
IN WP/5015/2022**

**BHAGWAT YOGIRAJ TAPSE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS**

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Advocate for Petitioners : Mr. D. J. Choudhary
AGP for Respondents – State : Mr. S. N. Kendre
Advocate for Respondent Nos. 2 to 4 : Mr. S. K. Kadam
Advocate for Respondent Caveator : Mr. V. D. Salunke h/f
Mr. M. D. Narwadkar
Advocate for Respondent No.5 : Mr. R. L. Kute

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 05th MAY, 2022

PER COURT :

1. The petitioners are aggrieved by refusal of their objection seeking inclusion of their names in the final voters' list of respondent No.5 Society. The names of the petitioners are deleted on the ground that they are non-borrowing members of respondent No.5 since 2012-2013 and their names were not included in the voters' list of previous election.

2. Since the petition raises several disputed questions of facts, which cannot be gone into at this stage, this Court is not inclined to exercise extraordinary jurisdiction in favour of the petitioners.

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 petitioners have 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 petitioners are kept open.

5. Accordingly, the civil application is also disposed off.

(NITIN B. SURYAWANSHI, J.)