

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

WRIT PETITION NO.5082 OF 2022

**VIJAY DEVIDAS AMRUTE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS**

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Advocate for Petitioner : Mr. Gawali Amol K.
AGP for Respondents/State: Mr. S. N. Kendre
Advocate for Respondent No.3: Mr. V. H. Dighe

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 5th May, 2022

ORDER :

1. Leave to correct the name of respondent no.3 in the cause title of the petition. Correction to be carried out during the course of day.
2. The office has raised objection that deficit fees is not paid by the petitioner. The petitioner has sought deletion of the names of 116 members in the present petition. Therefore, there is no question of paying court fees to their extent. The said objection is waived.
3. The objection raised by the petitioner for deletion the names of 116 members from the final voters list of Vividh Karyakari Seva Sahakari Sanstha Maryadit, Watephal, Tq. & Dist. Ahmednagar is

rejected by the respondent no.3 on the basis of say submitted by the Secretary of the said Society,

4. Since this petition raises several disputed questions of fact, it is not possible to entertain the petition at this stage.

5. In view of the Division Bench decision in **Dattatray Genaba Lole and Others Vs. The Divisional Joint Registrar, Co-operative Societies, Pune and Others** reported in **2022(1) BomCR 471**, the petitioner has alternate remedy. Writ Petition is, therefore, dismissed with liberty to the petitioner to avail alternate remedy. All contentions of the petitioner are kept open.

[NITIN B. SURYAWANSHI, J.]