

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

905 WRIT PETITION NO.6144 OF 2022

**BABAN PUNDLIKRAO DANVE
VERSUS
THE STATE COOPERATIVE ELECTION AUTHORITY AND OTHERS**

.....
Mr. Mayur V. Salunke h/f Mr. V. D. Salunke, Advocate for the
petitioner
Mr. S. G. Sangle, AGP for respondent/State
Mr. V. H. Dighe, Advocate for respondent nos. 1 and 2
.....

**CORAM : RAVINDRA V. GHUGE
AND
ANIL L. PANSARE, JJ.**

DATE : JUNE 21ST, 2022

PER COURT : -

1. We have considered the submissions of the learned counsel for the petitioner, learned advocate on behalf of respondent nos. 1 and 2 and the learned AGP on behalf of respondent no. 3.
2. Considering the order that we are passing today, we are not issuing notice to respondent no. 4.
3. The grievance raised by the petitioner is with regard to 33 members having no land within the jurisdiction of the Vividh Karyakari Seva Cooperative Society Ltd., Kotha Dabhadi, Tq. Bhokardan, Dist. Jalna.

4. It is undisputed that the petitioners can move an application under Section 11 of the Maharashtra Cooperative Societies Act, 1960 before respondent no. 3 to challenge the membership of the 33 members. Since the election programme has already been declared on 20.06.2022, we expect respondent no. 3 to decide the dispute within three (03) months from the returnable date set out in the notice to the respondents.

5. As such, this petition is **disposed off** with liberty to the petitioners to avail of the remedy of moving an application under Section 11 of the Maharashtra Cooperative Societies Act, 1960. Needless to state, the respondent no. 3 shall issue notices to all the persons concerned with the said dispute and after affording a reasonable opportunity of hearing to all of them, shall pass a reasoned order as regards the challenge to the membership of the 33 members whose names are mentioned at page no. 45 of the petition paper-book.

[ANIL L. PANSARE]
JUDGE

[RAVINDRA V. GHUGE]
JUDGE