

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

943 WRIT PETITION NO.6062 OF 2022

**BIRU DEVIDAS NEMANE AND OTHERS
VERSUS
THE STATE CO-OPERATIVE ELECTION AUTHORITY THROUGH
ITS COMMISSIONER AND OTHERS**

...

Advocate for Petitioners : Mr. Rathi Swapnil S.
Advocate for Respondent Nos. 1 & 2 : Mr. S. K. Kadam.
AGP for Respondent/State : Mr. S. N. Morampalle.
Advocate for Respondent No. 4 : Mr. T.G. Gaikwad.

**CORAM : MANGESH S. PATIL, J.
DATE : 16.06.2022.**

PER COURT :

Heard both the sides.

2. Though unfortunate, petitioners names were not included in the final voters' list published by the authorities thereby depriving them of exercising their right to vote.

3. True it is that some of the similarly situated persons had approached this Court in Writ Petition No. 5014/2022 and by the order dated 05.05.2022 the petitions were allowed and their names were directed to be included in the voters list. However, pertinently, the election programme was not declared then.

4. Much water has flown under the bridge since then. The actual voting is to take place on 19.06.2022. In view of the delay caused by the petitioners in exercising their right, the election process which is at the fag end cannot be allowed to be interrupted. Allowing the petitioners now to get their names included in the final voters list would set the clock back inasmuch as now a fresh final voters list will have to be

published.

5. In the circumstances, the petitioners are not entitled to claim parity with the petitioners whose writ petition was allowed.

6. The Writ Petition is dismissed. All the issues are kept open.

(MANGESH S. PATIL, J.)

mkd/-