

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

WRIT PETITION NO.7389 OF 2022

**PRAKASH MAHADEV SAWANT
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS**

...
Advocate for Petitioner : Mr. Chandrakant V. Thombre
AGP for Respondent – State : Mr. S. N. Morampalle
Advocate for Respondents No.2 and 3 : Mr. S. K. Kadam
Advocate for Respondent No.6 : Mr. M. S. Bhosale
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CORAM : MANGESH S. PATIL, J.

DATED : 15 JULY 2022

PER COURT :

The petitioner is objecting to the nomination accepted by the Returning Officer, refusing his objection on the ground that they were not eligible to contest the election under the Maharashtra Co-operative Societies (Election to Committee) Rules, 2014 for having third child after the cut off date.

2. Apart from the fact that the objection was stated to have been presented beyond the time prescribed, it was also not accompanied by any tangible material to substantiate allegations.

3. Considering the nature of the objection being raised, there would be several factual disputes which cannot be gone into and determined in exercise of the writ jurisdiction.

4. The election process has already begun.
5. The writ petition is dismissed with liberty to the petitioner to avail of the appropriate remedy at an appropriate stage.

(MANGESH S. PATIL, J.)