

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 9635 OF 2022

Sheku Maroti Gotande

...Petitioner

Versus

The Returning Officer & Ors.

...Respondents

Mr. K.J. Suryawanshi, Advocate for the petitioner.

Mr. S.K. Kadam, Advocate for Respondent No. 1.

.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 20th SEPTEMBER, 2022

ORDER :

1. Not on board, on mentioning taken on board.
2. The petitioner objected to the nomination of respondent no. 3 for contesting election of respondent no. 2/ society on the ground that he is having three children. In support of the objection the petitioner filed School Register extract of children of respondent no. 3 on record. Respondent No. 1 has accepted the nomination of respondent No. 3.
3. Since this petition raises several disputed questions of fact, this Court is not inclined to exercise extraordinary writ jurisdiction in favour of the petitioner at this stage.

4. In the light of decision in *Dattatray Genba Lole and Others V/s The Divisional Joint Registrar Co-operative Societies, Pune and Others*, 2022(1) Bom CR 471, the petitioner has alternate efficacious remedy.

5. In the light of the above, writ petition is dismissed with liberty to the petitioner to avail alternate remedy. All the contentions of the parties are kept open.

[NITIN B. SURYAWANSHI, J.]