

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 9633 OF 2022

Shri. Dattu Raosaheb Kurhade

...Petitioner

Versus

The Assistant Registrar Co-operative
Societies, Gangapur, Dist. Aurangabad & Ors. ...Respondents

Mr. K.J. Suryawanshi, Advocate for the petitioner.
Mr. S.K. Kadam, Advocate for Respondent No. 2.

.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 20th SEPTEMBER, 2022

ORDER :

1. Not on board, on mentioning taken on board.
2. The petitioner is aggrieved by the order passed by the Appellate Authority by which order of Election Officer of rejection of nomination of respondent No. 4 is set aside and the nomination form is accepted.
3. This petition raises several disputed questions of fact. The election process is already going on and polling is scheduled on 1st October, 2022. The other contesting candidates from the constituency in which respondent No. 4 is contesting the election, are not arrayed as party respondents.

4. In this view of the matter and in the light of decision of the Division Bench of this Court at Principal Seat in *Dattatray Genba Lole and Ohters V/s The Divisional Joint Registrar Co-operative Societies, Pune and Others*, 2022(1) Bom CR 471, the petitioner has alternate efficacious remedy.

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

[NITIN B. SURYAWANSHI, J.]