

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.10938 OF 2022**

MAHADEV MANCHANKRAO MUNDE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND
OTHERS

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Mr. L. H. Kawale, Advocate for the Petitioners.
Mr. K. B. Jadhavar, AGP for Respondents-State.
Mr. S. K. Kadam, Advocate for Respondent No.3.
Mr. A. A. Khande h/f Mr. P. H. Sukale, Advocate for
Respondent No.4.

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CORAM : SANDEEP V. MARNE, J.

DATED : 11th NOVEMBER, 2022.

PER COURT:-

1. The petition is filed challenging the order dated 10.10.2022 deleting the names of the petitioners from the voters list. The election programme has already been declared and the same is at an advanced stage. Considering the law laid down by this Court in **Dattatray Genaba Lole and Ors. Vs. The Divisional Joint Registrar, Co-operative Society, Pune and Ors.**, Writ Petition No.5878/2021 decided on 26.11.2021 the present petition cannot be entertained.

2. Accordingly, the present petition is dismissed leaving open liberty to the petitioners to challenge the election by filing appropriate proceeding under Section 91 of the Maharashtra Co-operative Societies Act, 1960 r/w Rule 78 of the Rules, 2014.

3. So far as prayer Clause 'D' of the petitioners is concerned, the petitioners have prayed for direction to respondent no.2 to decide complaint dated 10.06.2022. That complaint is for deciding the issue of membership of the petitioners. The respondent no.2 is directed to decide the complaint dated 10.06.2022 after following due process of law within a period of two months from today.

4. With the above direction, writ petition is dismissed. No costs.

(SANDEEP V. MARNE)
JUDGE