

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6636 OF 2022

Namkarna Yeshwant Aware ... **Petitioner**
Versus
The State of Maharashtra & Ors. ... **Respondents**

Mr. Pramod N. Joshi, Advocate for the Petitioner.

Mr. S. B. Kalel, AGP for the Respondent Nos.1 and 4/State.

Mr. Deelip Patil Bankar a/w. Ms. Pooja Deelip Patil,
Advocate for the Respondent Nos.2 and 3.

Mr. Rupesh Bobade a/w. Mr. Bhooshan Walimbe, Advocate
for the Respondent No.5.

**CORAM: S.V. GANGAPURWALA &
 MADHAV J. JAMDAR, JJ.**

DATED : JUNE 8, 2022

P.C.

1. The objection of the petitioner to include the name of member i.e. respondent No.6 is rejected.
2. The learned Counsel for the petitioner submits that the name of respondent No.6 could not find place in valid voter's list. The respondent has not paid the dues in respect of the flat. The objection to that effect was taken. The said objection is rejected in a casual manner.
3. We have heard the learned Counsel for the respondents. It appears from the record that certificate given by the Manager was produced to show the respondent No.6 was not in default.

4. In view of the said certificate, the Returning Officer has arrived at a conclusion. We are not going to embark upon the disputed questions of fact. The writ petition is accordingly disposed of. No costs. All contentions of the parties are kept open.

(MADHAV J. JAMDAR, J.)

(S.V. GANGAPURWALA, J.)

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