

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.216 OF 2022

1. Mangesh Shankar Tupatkar
Aged 45, Occ: Agriculturist,
R/o At Waghoda Post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
2. Manoj Dnyaneshwar Dhoke
Aged 45, Occ: Agriculturist,
R/o At Waghoda Post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
3. Rajendra Vishwanath Jadhav
Aged 60, Occ: Agriculturist,
R/o At Waghoda Post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
4. Vasudev Haribhau Dhoke
Aged 65, Occ: Agriculturist,
R/o At Waghoda Post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
5. Kusum Devrao Tupatkar
Aged 60, Occ: Household,
R/o At Waghoda Post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
6. Bebi Shankar Tupatkar
Aged 65, Occ: Agriculturist,
R/o At Waghoda Post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.

7. Pralhad Namdev Dhavne
Aged 55, Occ: Agriculturist,
R/o At Waghoda Post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
8. Pandurang Bhagwan Manjre
Aged 55, Occ: Agriculturist,
R/o At Waghoda Post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
9. Chhabubai Shrikrushna Metkar
Aged 60, Occ: Agriculturist,
R/o At Waghoda Post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
10. Janardhan Uttam Metkar
Aged 60, Occ: Agriculturist,
R/o At Waghoda Post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
11. Dinesh Shrikrushna Metkar
Aged 45, Occ: Service,
R/o At Waghoda Post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
12. Dilip Babarao Metkar
Aged 45, Occ: Agriculturist,
R/o At Waghoda Post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
13. Bhaskar Atmaram Metkar
Aged 65, Occ: Agriculturist,
R/o At Waghoda Post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.

14. Rambhau Uttam Metkar
Aged 52, Occ: Agriculturist,
R/o At Waghoda Post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
 15. Dhanraj Dnyanuji Mehenge
Aged 55, Occ: Agriculturist,
R/o At Waghoda Post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
 16. Sandeep Ashok Lokhande
Aged 30, Occ: Agriculturist,
R/o At Waghoda Post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
 17. Dilip Shamrao More
Aged 52, Occ: Agriculturist,
R/o At Waghoda Post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
 18. Vimal Dhanpal Waghmare
Aged 38, Occ: Agriculturist,
R/o At Waghoda Post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
 19. Gunvant Govind Solanke
Aged 55, Occ: Agriculturist,
R/o At Waghoda Post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
 20. Nalu Narayan Solanke
Aged 50, Occ: Agriculturist,
R/o At Waghoda Post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
- **PETITIONERS**

...VERSUS...

1. The District Co-operative Election Officer,
Cum District Deputy Registrar of
Co-operative Society Amravati,
Sahakar Sankul, Kanta Nagar,
Amravati, Tq. & Dist. Amravati.
2. Waghoda Seva Sahakari Sanstha Regn.
No.1198, Waghoda, Tq. Nandgaon
Khandeshwar, District Amravati
through its Secretary.
3. Omprakash s/o Tukaram Sawale
Aged about 45 years,
Occupation: Agriculturist.
4. Vinod s/o Bhimrao Jagtap
Aged 45 years,
Occupation: Agriculturist.

Resp. Nos.3 & 4, R/o Waghoda,
Tq. Nandgaon Khandeshwar,
District Amravati.

..... **RESPONDENTS**

Mr. P. B. Patil, Advocate for Petitioners.
Mr. D. P. Thakare, Addl. GP for Respondents 1 & 2/State.
Mr. H. D. Dangre, Advocate with Mr. N. A. Gawande,
Advocate for Respondents 3 & 4.

CORAM: **ROHIT B. DEO, J.**
DATE: **13th JANUARY, 2022.**

ORAL JUDGMENT:

Heard.

2. **Rule.**

3. With consent, the petition is heard finally.

4. The petitioners are challenging the decision of the District Co-operative Election Officer – respondent 1 to hold the petitioners disqualified for inclusion in the voters list of the elections of respondents 2 – society.

5. It is not in dispute that the names of the petitioners were included in the provisional voters list, and are deleted while finalizing the final voters list.

6. It is further not in dispute that the deletion is ordered without hearing the petitioners.

7. Several preliminary objections are raised. Without prejudice to any of the objections to the tenability of the petition, it is fairly agreed by the parties including the State, that in the peculiar facts, the petitioners can be heard before taking a decision on their deletion, or otherwise.

8. The deletion of the names of the petitioners from the provisional voters list is set aside.

9. The matter is remitted to the respondent 1, who shall

hear the petitioners and take an appropriate decision within seven days from the appearance of the petitioners. The petitioners shall appear before the District Deputy Registrar on 20.01.2022 along with every material on which the petitioners intend to rely.

10. No separate notice shall be necessary.
11. The petition is disposed of in the aforestated terms.

JUDGE

NSN