

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

WRIT PETITION NO.217 OF 2022

1. Sachin Shankar Durge
Aged 40, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
2. Bhavesh Subhash Bhamburkar
Aged 40, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
3. Yogita Manoj Dhoke
Aged 40, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
4. Archana Rajendra Tupatkar
Aged 38, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
5. Kirti Mangesh Tupatkar
Aged 38, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
6. Sampati Ravindra Tupatkar
Aged 39, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.

7. Jija Shankar Thote
Aged 55, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
8. Usha Hukumchand Durge
Aged 40, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
9. Bebi Shankar Durge
Aged 55, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
10. Usha Dnyaneshwar Bagale
Aged 60, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
11. Kamla Bhaurao Mehenge
Aged 55, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
12. Kausal Dhanraj Mehenge
Aged 55, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
13. Bebi Pandurang Manjre
Aged 50, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.

14. Ujwala Sudhir Metkar
Aged 42, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
15. Karuna Pramod Metkar
Aged 55, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
16. Dinesh Dhanraj Mehenge
Aged 39, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
17. Pramod Nanaji Metkar
Aged 52, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
18. Chhaya Sudhakar Metkar
Aged 52, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
19. Mangala Gopal Metkar
Aged 38, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
20. Rekha Dilip Metkar
Aged 38, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.

21. Santosh Janardhan Metkar
Aged 42, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
22. Sadhana Rambhau Metkar
Aged 40, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
23. Sunanda Janardhan Metkar
Aged 55, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
24. Harsha Dilip More
Aged 45, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
25. Sheela Sudhakar Ramgaonkar
Aged 52, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
26. Sheela Ramdas Ramgaonkar
Aged 42, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
27. Saurapal Janrao Waghmare
Aged 32, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.

28. Lata Homdev Wayke
Aged 38, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
29. Anjali Naresh Shendurkar
Aged 38, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
30. Sarla Liladhar Sultane
Aged 50, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
31. Pankaj Sudhakar Ramgaonkar
Aged 42, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
32. Swapnil Sudhakar Metkar
Aged 38, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
33. Tara Mahadev Solanke
Aged 55, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
34. Dhanita Gunvant Solanke
Aged 50, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.

35. Sunanda Ambadas Dhakulkar
Aged 60, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
36. Amrapal Sahebrao Waghmare
Aged 27, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
37. Homdev Pralhad Wayke
Aged 45, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
38. Naresh Pralhad Shendurkar
Aged 45, Occp. Agriculturst,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
39. Pawan Manohar Gavnar
Aged 28, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
40. Yogiraj Tulsiram Gulhane
Aged 50, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
41. Seema Anil Kalmegh
Aged 38, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.

42. Shobha Bhaskar Kshirsagar
Aged 55, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
43. Pawan Bhaskar Kshirsagar
Aged 28, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
44. Kusum Vitthal Gavnar
Aged 60, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
45. Manohar Pundlik Gavnar
Aged 55, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
46. Pravina Devendra Gavnar
Aged 35, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
47. Rupali Yogiraj Gulhane
Aged 45, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
48. Dipali Laxman Ghanmode
Aged 25, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.

49. Rupali Swapnil Chandurkar
Aged 28, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
50. Vandana Sadanand Jadhav
Aged 60, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
51. Chanda Pravin Dhakulkar
Aged 50, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
52. Chanda Ramesh Dhakulkar
Aged 52, Occp. Agriculturist
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
53. Pragati Ravindra Dhakulkar
Aged Major, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
54. Pravin Ambadas Dhakulkar
Aged 38, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.
55. Seema Anil Dhakulkar
Aged 35, Occp. Agriculturist,
R/o At Waghoda post Sultanpur,
Tq. Nandgaon Khandeshwar,
Dist. Amravati.

56. Sulochana Suresh Dhakulkar
Aged Major, Occp. 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