

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

WRIT PETITION NO. 6437 OF 2019

(Mahadeo s/o Deoraoji Borade ..vs.. The District Zilla Sahakari Election Officer and District Deputy Registrar, Nagpur and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. P.K. Bezalwar, Counsel for the petitioner,
Mr. G.K. Bhusari, Counsel for respondent 3,
Mr. N.V. Tapas, Counsel for respondents 4 to 18,
Mr. M.K. Pathan, AGP for respondents 19 & 20.

CORAM : ROHIT B. DEO &
ANIL L. PANSARE, JJ.
DATED : 19-08-2022

The petitioner is, *inter alia*, challenging the election to the Managing Committee of respondent 3-Dr. Panjabrao Deshmukh Nagri Sahakari Pat Sanstha, Nagpur held for the period 2015 to 2020.

2. With the passage of time, the tenure of the elected body has expired and fresh elections are held in March 2022.

3. That apart, the learned Counsel for the respondents are pointing out that the petitioner challenged the election which is impugned in the petition, before the co-operative Court, which dismissed the dispute and thereafter the appeal preferred by the petitioner was dismissed by the co-operative appellate Court and further, this Court has dismissed the writ petition.

4. In this view of the matter, we see no propriety in keeping the petition pending and the same is disposed of.

5. The learned Counsel for the petitioner states that liberty may be reserved to challenge the fresh elections.

6. In our view, no liberty as such is required as if otherwise permissible, the petitioner can always challenge the fresh elections in accordance with law, before the appropriate forum.

(ANIL L. PANSARE, J.)

(ROHIT B. DEO, J.)

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