

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

901 WRIT PETITION NO.681 OF 2023

VAIBHAV PRABHAKAR AMBHORE
VERSUS
THE STATE OF MAHARASHTRA THROUGH PRINCIPAL
SECRETARY AND OTHERS

...
Advocate for Petitioner : Mr. Darandale Abhijit C.
AGP for Respondent Nos.1 and 2 : Mr. K. N. Lokhande
Advocate for Respondent No.3 : Mr. V. H. Dighe
...

CORAM : ARUN R. PEDNEKER, J.
DATE : 17th January, 2023

PER COURT :

1. Heard learned Advocate Mr. A. C. Darandale for the petitioner, learned Advocate Mr. V. H. Dighe appearing on behalf of respondent No.3 and the learned AGP Mr. K. N. Lokhande for respondent-State.

2. The grievance of the petitioner is that his nomination to the elections of the Managing Committee of the respondent No.4- Ahmednagar Shahar Sahakari Bank Limited, Ahmednagar has been rejected by the respondent No.3-District Co-operative Election Officer on account of the fact that he had not produced his caste certificate along with his nomination form. The last date of filing of nomination was 30/12/2022 and admittedly the caste certificate is issued to the

petitioner on 04/01/2023.

3. Rule 20 Sub-clause (2) of the Maharashtra Co-operative Societies (Election of Committee) Rules, 2014 provides that, nomination form has to be completed in all respect and should be in form E-5 which specifically provides for a declaration of the caste of the candidate along with the photo copy of the caste certificate.

4. Thus, as on the date of filing of the nomination, the petitioner should have a caste certificate. Admittedly in the instant case, the petitioner did not possess the caste certificate as on the date of the filing of the nomination form. Hence, no fault can be found with the orders passed by the Election Officer.

5. In view of the same, nothing survives in the petition, hence writ petition is dismissed.

(ARUN R. PEDNEKER, J.)

vj gawade/-.