

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

913 WRIT PETITION NO.2762 OF 2023

BABASAHEB WAMAN SANAP
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS

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Advocate for Petitioner: Mr. V. D. Hon, Senior
Advocate i/b. Mr. Thombre Chandrakant V.

AGP for Respondent/State: Mr. K. B. Jadhavar

Advocate for Respondents No.2 to 4:

Mr. S. K. Kadam

Advocate for Respondent No.6: Mr. A. T. Jadhavar

Advocate for Respondents No.8&18: Mr. R. R. Bangar

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CORAM: ARUN R. PEDNEKER, J.

DATE: 24th MARCH, 2023

PER COURT:

1. Heard.

2. The objection dated 20.02.2023 was raised to the provisional voters list by the petitioner. The objection which is at page no.33 of the petition, wherein the objector has submitted as under:-

“वरिल विषय विनंती पूर्वक आरज करतो की, मौजे वडझरी येथिल सेवा सहकारी संस्था ता. पाटोदा आपन नव्यने प्रसिद्ध केलेल्या आदि मध्ये नवीन नावे बेकायदेशीर रित्य समविष्ट केले आहेत. यापूर्वी झालेल्या निवडणुकीत अंतिम यादी प्रमाणे नवे नसल्याने अनेक नावाचा नव्याने बेकायदेशीरपणे समाविष्ट केले आहेत तरी आपणास विनंती

करण्यात येते कि या पूर्वीच्या निवडणूक पूर्व ची सभा सभासद यतावनी बुक, सभासद पावती बुक व पूर्वीच्या रेकॉर्ड प्रमाणे तपासणी करून अंतिम यादी प्रसिद्ध करण्यात यावी हि नम्र विनंती . "

3. The election authority by order dated 24.02.2023, has rejected the objection as the objection does not specify any name of the individual and for what reason the person is to be added in the voters list or to be deleted from the voters list. He has also disputed as regards the signature of the petitioner. Since, the objections raised are not in compliance with Rule 8(2) of the Maharashtra Co-operative Societies (Election to Committee) Rules 2014, the objections are rejected.

4. I do not see any patent illegality committed by the election authority and the petitioner would be at liberty to approach the alternate forum by filing the election petition under section 91 of the Act and Rule 78 of the 2014 Election Rules.

5. The election is at an advanced stage and the programme is already declared and the list of validly nominated candidates is also published and at this stage this court would not ordinarily interfere in the election process. Hence, the writ petition is disposed of with liberty to approach the alternate forum.

[ARUN R. PEDNEKER, J.]

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