

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1022 WRIT PETITION NO.2870 OF 2023

SANDESH HANMANTRAO HALDEKAR AND OTHERS
VERSUS
STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS

...
Advocate for Petitioners : Mr. Zakade Shrikrishna Nilkatrao
AGP for Respondents-State : Mr. K. B. Jadhavar
Advocate for Respondent No.2 : Mr. S. K. Kadam
Advocate for Respondent No.3 : Mr. V.B. Kulkarni & V. V. Pawar
...

CORAM : ARUN R. PEDNEKER, J.
DATE : 29th March, 2023

PER COURT :

1. Heard the learned Advocate for the petitioners. The petitioners submit that they do not dispute that the members shown in the provisional voters list are the members of the society. However, he submits that in the provisional voters list prepared from the Serial No.753 onwards till 848, the details of the members were not given in the list. He submits that the list being not in proper form, the same be quashed to remove ambiguity, and direction be issued to publish fresh provisional voters list.

2. The elections are at an advance stage and any interference at this stage would disturb the election process. Today is the last date of

the withdrawal of the nomination.

3. All these contentions can be more appropriately addressed by instituting an election petition under Section 91 of the Cooperative Societies Act. The authority would be able to take evidence in the matter to render an appropriate finding.

4. In view of the above, the writ petition is disposed of with liberty to the petitioners to approach the alternate forum.

(ARUN R. PEDNEKER, J.)

vj gawade/-.