

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

38 WRIT PETITION NO.3087 OF 2023

**BASLING BAPURAO BHURE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE SECRETARY AND OTHERS**

...
Advocate for Petitioners : Mr. A.V. Hon
AGP for Respondent 1 : Mr. K.B. Jadhavar
Advocate for Respondent 2 : Mr. V.H. Dighe
...

**CORAM : ARUN R. PEDNEKER, J.
DATED : 10/04/2023**

PER COURT :

1. The petition was only limited to the Objection No. 77 of 2023 raised by the petitioner before the respondent No. 2 - District Co-operative Election Authority and the District Deputy Registrar, Co-operative Societies, Nanded.
2. The petitioners have filed this writ petition for inclusion of their names in the final voters list of the elections of respondent No. 3 – Seva Sahakari Society Limited, Shiradhon, Tq. Kandhar, District Nanded.
3. It is the contention of the petitioners that provisional voters list prepared for election of respondent No. 3 Society was published wherein the petitioners did not find their names. The petitioners raised objections as regards 58 voters who are eligible to vote in the election of respondent No. 3 Society, but whose names are not reflected in the provisional voters list. The petitioners pray that their names may be included in the final voters list.
4. The provisional voters list was published on 20.2.2023 and objections by the petitioners were raised on 28.2.2023. The objections

raised by the petitioners were rejected by the respondent No. 2 Authority. The respondent No. 2 Authority called for record of respondent No. 3 Society and on perusal of the record, it was found that the petitioners' names were not found in the record of membership of the Society and thus, the respondent No. 2 Authority held that the petitioners were not the members of the respondent No. 3 Society.

5. The petitioners contends that they are the members of the respondent No. 3 Society, they have valid receipts of payment of membership for the respondent No. 3 Society.

6. The elections are at advance stage. The date of filing nominations is from 6.4.2023 to 13.4.2023. Interference at this stage would destabilise the election process. The order passed by the Election Authority cannot be said to be patently illegal as the names of the petitioners are not found with the record of the respondent No. 3 - Society. In view of the same, this Court would not exercise it's writ jurisdiction. The petitioners are at liberty to raise their grievance at appropriate time by filing appropriate proceedings.

7. With the aforesaid observations, the petition is disposed of with aforesaid liberty.

[ARUN R. PEDNEKER J.]

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