

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

911 WRIT PETITION NO.2998 OF 2023

PANDAGALE ANITA MAROTI AND OTHERS
VERSUS
THE STATE CO-OPERATIVE ELECTION AUTHORITY AND
OTHERS

...

Advocate for the petitioners : Mr.K.J.Suryawanshi
Advocate for Respondent nos.1 to 3 : Mr.S.K.Kadam
Advocate for Respondent no.5 : Mr.A.V.Hon

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 15.03.2023

P.C. :

1] Heard the learned counsel for the petitioners.

2] By the impugned order, the election authority has held that deleted members are not holding the membership of the society for a period of two years, which is a required qualification to be included in the voters list. The Election Authority has considered the audit report, so also, the authority has indicated that there is no increase in the share capital during the period of 2016 to 2020. It has been further noticed that the society has not produced 'T

and 'J' register showing membership of 90 members. Taking into consideration all the relevant evidence the Election Authority has held that 90 members are not holding membership of the society for a period of two years and as such deleted them from the provisional voters list. The learned counsel for the petitioners dispute this position but it would require assessment and production of complete evidence and the same would be more appropriately addressed by filing an election petition.

3] As such, the petition is disposed of, with liberty to the petitioners to avail remedy of filing an election petition.

4] All the points are left open.

5] Accordingly, the Writ Petition is disposed of with liberty as aforesaid.

[ARUN R. PEDNEKER]
JUDGE