

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.3892 OF 2023**

**MANOHAR RADHAKISHAN RAJBINDE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
COOPERATIVE DEPARTMENT AND OTHERS**

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Mr. Y. K. Bobade h/f Mr. K. T. Taur, Advocate for the Petitioners.
Mr. S. G. Sangle, AGP for Respondents-State.
Mr. S. K. Kadam, Advocate for Respondent Nos.2 to 5.

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**CORAM : NITIN W. SAMBRE AND
S. G. CHAPALGAONKAR, JJ.
DATE : 05th APRIL, 2023.**

P.C:-

1. Since the petitioners got elected on 29th March, 2023 as a member of the V.K.S.S. Ltd. Shridhar Jawla, who is not a party-respondent to the petition. According to the petitioners, in view of the election their names are required to be substituted to that of existing representative of such Society, so as to get a statutory right of exercising vote in the election of respondent no.6.

2. The aforesaid prayer of the petitioners is opposed by Mr. Kadam, learned counsel appearing for respondent nos.2 to 5. He would draw support from the Notification dated 7th February, 2023, wherein an amendment is caused to the Maharashtra Agricultural Produce Market Committee (Election to Committee) (First Amendment) Rules, 2023.

3. We have appreciated the submissions of the learned counsel for the petitioners.

4. In view of the aforesaid Rules as are referred to by the learned counsel for the respondents, in absence of five working days period the names of the petitioners cannot be substituted to that of existing names, who are representing the interest of such V.K.S.S. Ltd. Shridhar Jawla.

5. Apart from the above, the said Society is not impleaded as party-respondent to the petition.

6. For the aforesaid reasons, we refrain ourselves from causing interference in the writ jurisdiction. Writ Petition stands dismissed. The petitioners are at liberty to file election dispute, if so desired, which may be considered and decided expeditiously.

(S. G. CHAPALGAONKAR)
JUDGE

(NITIN W. SAMBRE)
JUDGE