



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

905 WRIT PETITION NO. 15708 OF 2023

Shanti Construction Majur Sahkari Sanstha Ltd Through Its Chairman
Sayyad Valli Sayyed Karim

....Petitioner

VERSUS

The State Of Maharashtra Through Its Secretary And Others

.....Respondent

.....

Advocate for the Petitioner : Mr. Khadap Rahul D.

AGP for Respondent 1 : Mr. R.S. Wani

Advocate for Respondents 2 & 3 : Mr. S.K. Kadam

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CORAM : ARUN R. PEDNEKER, J.

Dated : December 22, 2023

PER COURT :-

1. Heard the learned counsel for the parties.
2. The petitioner is challenging the order dated 30.11.2023 passed by the respondent No. 3/Election Authority on the application filed by the petitioner for permitting him to including his name in the voters list.
3. Mr. S.K. Kadam, learned counsel appearing for Election Authority submits that the Election Authority has dismissed the objection of the petitioner on the ground that the society has undergone liquidation at the relevant time and no order of setting aside of the liquidation of the society has been placed before the Election Authority. He further submits that the order of cancellation of liquiation being not produced on record, the Election Authority proceeded to pass the impugned order. He further submits that the order of the Election Authority is belatedly challenged and

taken up before this Court for consideration as nomination process has been started on 19.12.2023.

4. In view of the above submissions made by Mr. S.K. Kadam, I deem it appropriate that it is too late to consider the claim of the petitioner as the petitioner has appeared before this Court belatedly and any interference today by this Court would amount interference in the election process. There is no material on record to indicate that the impugned order is *ex facie* illegal. In view of the above and in absence of the order of cancellation of liquidation being not produced before the Election Authority, the writ jurisdiction of this Court cannot be invoked. In the result, the writ petition is dismissed with liberty to the petitioner to avail the alternate remedy as is available in law.

[ARUN R. PEDNEKER J.]

ssc/