

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.3195 OF 2023**

Tukaram Yashavant Suryavanshi

....Petitioner

V/s.

The State Co-op Election Authority & Ors.

...Respondents

Mr. Ashish Agarkar i/b Mr. Wangikar Omkar Shah for Petitioner.
Mr. A. I. Patel, Addl GP a/w Mr. K. S. Thorat aGP for Respondent State.
Mr. Dilip Bodake for Respondent Nos.2 & 4.

**CORAM : K.R. SHRIRAM &
RAJESH S. PATIL JJ
DATED : 29th MARCH 2023**

PC. :

1 It is petitioner's case that provisional list of voters was declared on 6th January 2023 and time to raise objections was granted from 6th January 2023 to 16th January 2023. Objections were decided and final list was prepared on 20th January 2023. It is petitioner's case that objections were actually decided on 25th January 2023 but the final list was pre dated to 20th January 2023. Mr. Agarkar states that in the final list 30 new names were found, which were not there in the provisional list and these 30 are those persons, who were not even members of respondent no.5 society. Mr. Agarkar states petitioner promptly on 25th January 2023 itself, lodged an objection with respondent nos.3 and 4 and that objection is not yet considered and decided. Mr. Agarkar fears that the election programme will be announced and elections will be held without considering petitioner's

objection. Prima facie, it appears to be a very serious issue which requires to be decided by respondent no.3, with whom objection is filed. Mr. Patel states that objection will be decided within such period as this court may direct.

2 Respondent no.3 shall decide objection dated 25th January 2023 filed by petitioner within four weeks from today after giving petitioner a personal hearing, so also notice will be given to those 30 persons as also respondent no.5. Notice of personal hearing shall be communicated 3 working days in advance. The order to be passed will be a reasoned order.

3 Petition accordingly disposed.

4 We clarify that we have not made any observation on the merits of the matter.

(RAJESH S PATIL, J.)

(K.R. SHRIRAM, J.)