

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6287 OF 2023

Ganpati Dattatraya Patil ... Petitioner.

V/s.

State of Maharashtra and Others ... Respondents.

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Mr. Chetan Patil i/b Mr. Bhooshan R. Mandlik for the Petitioner.

Mr. Deelip Patil Bankar, Chief Standing Counsel a/w Ms. Pooja
Deelip Patil for Respondent Nos.2 and 3- SCEA.

Mr. Prashant Bhavake a/w Mr. Utkarsh Desai for Respondent No. 5.

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CORAM : NITIN JAMDAR, AND
MANJUSHA DESHPANDE, JJ.

DATE : 5 October 2023.

P.C. :

On 3 October 2023 the following order was passed:

“ The Petitioner has sought the following reliefs:

*(A) That this Hon’ble Court be pleased to
issue writ of mandamus or any other
appropriate writ, order or direction in the
nature of a writ of mandamus thereby
directing the respondent nos.1 to 4 herein
to forthwith to take steps for finalization of
the voters list and subsequently conduct of
election to the Managing Committee of
respondent no.5 society preferably within
a time bound period.*

(B) That pending the hearing and final disposal of the Writ Petition, this Hon'ble Court be pleased to direct the respondent nos.1 to 4 herein to immediately start the election programme for finalization of the voters list and for conducting election to the Managing Committee of respondent no.5 society."

2 The learned counsel for the Petitioner states that the deadline given in the Government Resolution dated 15 July 2023 of 30 September 2023 is over and according to his instructions, the same is not extended. He has also drawn our attention to the stand taken by Respondent No.5 in the reply affidavit filed in June 2023 that necessary steps for conducting elections would be taken after rainy session is over.

3 Place the Petition on Board on 5 October 2023 under the caption "For Directions".

4 If the Respondents do not show any impediment in law or in fact as to why the above prayers should not be granted, Court will proceed to pass necessary orders."

2 The learned Counsel for Respondent Nos. 2 and 3 states that there is not only no impediment but positive instructions have been received from the authority that the process can proceed further. In light thereof, the writ petition is disposed of in terms of prayer clause (A).

(MANJUSHA DESHPANDE, J.)

(NITIN JAMDAR, J.)