

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 7896 OF 2023
WITH
WRIT PETITION NO. 7898 OF 2023
WITH
WRIT PETITION NO. 7900 OF 2023
WITH
WRIT PETITION NO. 7902 OF 2023
WITH
WRIT PETITION NO. 7903 OF 2023
WITH
WRIT PETITION NO. 7904 OF 2023**

Vijay Vasant Angne ...Petitioner(s)
Versus
State Of Maharashtra And Ors ...Respondent(s)

Mr. Ganesh Bhujbal i/b Mr. B.D. Shinde for the Petitioner.
Mr. Vijay Patil i/b Mr. Anant Bobe for Respondent No. 4.
Mr. Nagesh Chavan for Respondent No. 5.
Ms. M.S. Srivastava, AGP for State.

**CORAM: N. R. BORKAR, J
DATED: 27 JUNE, 2023**

PC:-

1. By order dated 06 June 2023, the respondent No.3 – Returning Officer appointed to conduct the elections of managing committee of the respondent No. 5 – Maruti Enclave Co-operative Housing Society, rejected the nomination forms of the contesting respondents. The appeals were filed against the said order of the respondent No.3 – Returning Officer.

2. By the impugned order dated 19 June 2023, the respondent No.2 – Joint Registrar had allowed the appeals filed by the contesting respondents and directed the respondent No.3 – Returning Officer to accept the nomination forms of the contesting respondents.

3. Learned counsel for the petitioner submits that during the scrutiny of nomination forms the contesting respondents were found to be in arrears of the dues payable to the society and thus their nomination forms were rejected. It is submitted that during the pendency of the appeal before the respondent No.2 – Joint Registrar, the contesting respondents had paid the dues, however, fact remains that on the date of filing of nomination forms the contesting respondents were defaulters and were not entitled to contest the election. It is submitted that the respondent No. 2 – Joint Registrar, therefore, ought not to have allowed the appeals filed by the contesting respondents.

4. Admittedly there is a remedy of filing of election petition. In that view of the matter, I am not inclined to entertain the present petitions.

5. Writ petitions are dismissed.

(N. R. BORKAR, J.)