

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.2484 OF 2023

Santosh Ramkrushna Gorle APMC Yard, Amravati and ors.

-vs-

District Co-operative Election Officer/District Deputy Registrar of Co-operative Societies,
Amravati and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri K. P. Mahalle, Advocate for petitioners.

Ms N. P. Mehta, Assistant Government Pleader for respondent Nos. 1 and 2.

CORAM : A. S. CHANDURKAR AND M. W. CHANDWANI JJ.

DATE : April 27, 2023

1. Heard.
2. The petitioners seek permission to participate in the elections of Agricultural Produce Market Committee, Amravati on the basis of an order dated 01/03/2023 passed by the District Deputy Registrar in proceedings under Section 9 of the Maharashtra Agricultural Produce Marketing (Development and Regulation) Act, 1963. By the said order, the petitioners' trading license has been restored. The District Election Officer has refused to include the names of the petitioners in the final voters' list since the same was published on 07/12/2022. It is submitted by the learned counsel for the petitioners that during the period from 14/11/2022 to 23/11/2022 though an objection was raised to the non-inclusion of the petitioners' name in the voters' list, no steps were taken to have the same included. In view of the order dated 01/03/2023, there would be no impediment to permit the petitioners to

vote in the said elections.

2. We find that the final voters' list having been published on 07/12/2022 and the petitioners' license for being eligible to vote having been restored on 01/03/2023, no fault could be found with the decision of the District Election Officer refusing to accept the request of the petitioners since the election programme had commenced. With liberty to the petitioners to avail appropriate statutory remedy after declaration of result of the elections if they are so desirous, the Writ Petition is disposed of. All points on merits are kept open. No costs.

(M. W. Chandwani, J.)

(A. S. Chandurkar, J.)

Asmita