

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8118 OF 2024

Madan Shankar Gaikar ...Petitioner
Versus
District Co Op Election Officer
And Ors ...Respondents

....

Mr. Chandrakant Yadav, for the Petitioner.

Mr. Hamid Mulla, A.G.P. for the Respondent – State.

....

CORAM : AVINASH G. GHAROTE, J.
DATE : 9th JULY 2024

P.C.:

1. The contention is that in terms of Rule 65 of the Maharashtra Co-operative Societies, (Election to Committee) Rules, 2014 every candidate at an election either himself or by his agent has to submit the account of the election expenses to the returning officer, within period of 60 days from the date of declaration of the result of the election in terms of Rules 67 (1) A, failure to do so without any reasonable cause or justification, would under Rule 66, lead to disqualification.

2. It is contended that inspite of the admitted position

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that till 21.11.2023, no such expenses had been submitted to respondent no.1 he has withdrawn the show cause notice dated 31.05.2023 (page 105) by the impugned Order (page 120). It is therefore submitted, that there is no justifiable reason or cause as required by Rule 66 (1) b of the aforesaid rules shown on account of which the impugned Order cannot be sustained.

3. Issue notice to respondent no. 3, returnable on 29 July, 2024. Learned AGP waives notice for respondent no. 3.

(AVINASH G. GHAROTE, J.)