



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR
WRIT PETITION NO. 2998 OF 2024

(Pramod s/o Dhanraj Raut & Ors.

Vs.

The Deputy Registrar, Co-operative Societies City-3, Nagpur & Ors.)

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. N.L. Jaiswal, Advocate for the Petitioners.

Mr. N.S. Autkar, AGP for the Respondent Nos. 1, 3 & 4/State.

Mr. S.K. Tambde, Advocate for the Respondent No.2.

CORAM: N.R. BORKAR, J.

DATED : 16th JULY, 2024

Heard.

2. The principal prayer in the present Petition reads thus:

“(i) Direct the respondent no.4 to modify voter list dated 20/02/2024 at Annexure – 7 and remove the name of voters from the voter list who have been enrolled after 31/03/2002 i.e. Annexure – 6 and restore name of old members.”

3. The learned Counsel for the Petitioners, has drawn my attention to the affidavit-in-reply filed by Respondent Nos. 1 and 3 and more particularly paragraph No.6, which reads thus:

“6. It is respectfully submitted that, the answering respondent has duly considered the objections of the petitioners and the name of the voters who have been enrolled prior to the year 2002, only should be considered in the voters list. The answering No.2 society has mislead the answering respondents and supplied the names of 237 removed members representing them to be the members. The names of 237 members which was supplied by the respondent society were already

removed by virtue of order dated 02.02.2019 and in spite of this factual position the respondent no.2 society have inserted the names of 237 non members by showing them as members prior to the year 2002. Due to this misleading information by the society, names of 237 members have been erroneously added by the answering respondent to the list of members which is annexed at Annexure no.6 by the petitioner. It is respectfully submitted that, the answering respondent will modify the final voter list published on 20.02.2024.”

4. The learned Counsel for the Petitioners, submits that in view of the above admission, the Respondent Nos. 1 and 4 be directed to modify the final list of voters/members.

5. On the other hand, the learned Counsel for the Respondent No.2/Society, submits that considering the facts and circumstances, it would be appropriate if Respondent No.1 grants an opportunity of hearing to Respondent No.2/society before modifying list of voters/members.

6. The Respondent Nos. 1 and 4 are permitted to modify list of voters/members. The Respondent No.1, before modifying list of voters/members shall grant an opportunity of hearing to Respondent No.2/Society and to the Petitioners and shall publish the final list of voters/members within four weeks from today.

7. The Petition is **disposed** of in the above terms. No costs.

8. Pending application/s, if any, shall stand disposed of accordingly.

(N.R. BORKAR, J.)