



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11729 OF 2025

Ravindra Raju Mehre

VERSUS

Aabid Fishermen Cooperative Society Ltd

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- Mr. Prashant N. Khedkar, Advocate for the Petitioner

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CORAM : MANISH PITALE AND
Y. G. KHOBRAGADE, JJ.

DATE : 25.09.2025

PER COURT :

1. The petitioner has approached this Court seeking an order that respondent No. 2 – State Co-Operative Election Authority and respondent No. 3 – Taluka Co-Operatives Election Officer and Assistant Registrar Co-Operative Societies, should be directed to consider the petitioner and 174 other members of respondent No. 1 - Aabid Fisherman Co-Operative Society Ltd., as eligible for casting their votes in the upcoming election of the said society.

2. Reliance is placed on the judgment of this Court in the case of *Bhausahab s/o Kachru Natkar V/s. State of Maharashtra, 2021 (5) Mh.L.J. 719*, to contend that the writ petition is maintainable, and that a direction can indeed be issued to respondent No. 2 – the State

Co-operatives Election Authority. It is contended that the said authority, by fixing cut-off date at 01.01.2025, for determining the eligibility of the members to cast their votes, has acted arbitrarily and it has resulted in a large number of members being deprived of voting right.

3. We have perused the judgment of this Court in the case of ***Bhausahab s/o Kachru Natkar V/s. State of Maharashtra*** (Supra). We find that, in terms of the position laid down therein, the petitioner may be able to maintain the present writ petition.

4. In the said judgment itself, the Division Bench of this Court has recognized the fact that respondent No. 2 – the Election Authority has the discretion to specify such a cut-off date.

5. Another crucial aspect of the matter is that the election program was declared as far back as on 12.08.2025. As per the election program, provisional voters list was to be published on 13.08.2025. The time period for raising objections to the provisional voters list was from 13.08.2025 to 20.08.2025. The objections were to be decided by the Assistant Registrar, Co-operative Societies, between 21.08.2025 and 28.08.2025, and the final voters list was to be published on 28.08.2025.

6. It is an admitted position that the petitioner did not avail of the opportunity to raise any objections to the provisional voters list. The document at Exhibit – ‘E’ shows that the erstwhile Chairman of respondent No. 1 – Society raised an objection only on 22.08.2025, which was beyond the stipulated time period for raising objections to the provisional voters list, i.e. 13.08.2025 to 20.08.2025.

7. It is also an admitted position that the present writ petition has been filed recently on 22.09.2025, whereas the date of voting is fixed for 28.09.2025.

8. Considering the aforesaid admitted position of facts, we decline to entertain the present writ petition. We are of the opinion that the opportunity available to the petitioner to raise objection to the provisional voters list was not availed by him within the prescribed time and the petition appears to have been filed only a few days before the scheduled date of voting, with a view to scuttle the voting/election process.

9. In view of the above, the writ petition is dismissed.

(Y. G. KHOBRADE, J.)

(MANISH PITALE, J.)