



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

WRIT PETITION NO. 2697/2025

Mrudul S/o Jitendraprasad Mishra Vs. Maharashtra State Co-operative Election Tribunal, Pune and others

Office Memoranda of Appearances, directions and orders	Notes, of Court's orders and Registrar's	Court's or Judge's orders

Mr. S.K. Tambde, Advocate for Petitioner
Mr. S.S. Ghatge, Advocate for Respondent No.1
Mr. N. S. Autkar, AGP for Respondent No.2
Mr. A.M. Ghare, Advocate for Respondent No.3

CORAM: ANIL L. PANSARE, J.

DATED : 26th JUNE, 2025

1. The petitioner is aggrieved by non-inclusion of his name in the provisional voter's list and accordingly, raised objection in terms of the Rule 8 of the Maharashtra Co-operative (Election to Committee) (In short, Rules of 2014). The petitioner's grievance was that his father expired on 13.10.2019 and was having one share in his name. The petitioner, who is one of the legal heirs submitted application to the respondent No. 3-Bank to include his name as Member of the Society. The respondent No. 3-Bank, however, did not take decision on the said request. Considering the fact that the petitioner's name is not included, the respondent – Returning Officer refused to include his name in the provisional voter's list.

2. As could be seen, the petitioner's request to include his name as Member was not acceded to by the respondent No. 3-Bank, may be because the application was not put up before the Managing Committee for decision. The counsel

for the petitioner submits that the application was made in the year 2022. Thus, it appears that the Managing Committee of respondent No. 3-Bank did not process the application for a considerable period. The petitioner also did not pursue the application. Resultantly, his name was not reflected in the register of members maintained under Section 38 of the Maharashtra Co-operative Societies Act, 1960 (In short, Act of 1960).

3. The provisional voter's list is prepared inter-alia, on the basis of the membership register maintained by the respondent No. 3-Bank. That being so, one cannot blame the Returning Officer for inaction of respondent No.3-Bank. The order passed by the respondent No.2 – Returning Officer, rejecting the request of the petitioner to include his name in the provisional voter's list appears to be in tune with the Rules of 2014. No interference is, therefore, called for in the impugned decision.

4. The petition is dismissed. No order as to costs.

(ANIL L. PANSARE, J.)