IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 15590 OF 2026

Aboli D/o. Vinaykrao Jadhav,
Age: 29 years, Occupation: Agriculture,
R/o. Kalegaon, Tq. Ahmedpur, District Latur. ….Petitioner

VERSUS

1. The Divisional Joint Registrar Cooperative Societies Latur, Division Latur Tq & District Latur
2. The Returning Officer,
Latur District Central Co-operative Bank Ltd.,
Latur, and Resident Deputy Collector, Latur.
3. The Latur District Central Cooperative Bank Ltd Parbhani Tq & District Parbhani
4. Avinash Balasaheb Jadhav,
Age: 38 years, Occu: Agril,
R/o. Shirur Tajban, Taluka Ahmedpur,
District Latur.
5. Dinkar Ramrao Jadhav,
Age: 42 years, Occu: Agril.,
R/o. Telgaon, Tq. Ahmedpur, Dist. Latur.
6. Vividh Karyakari Seva Sahakari Sanstha Maryadit, Ahmedpur, Taluka Ahmedpur,
District Latur, Through its Secretary. ….Respondents

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Mr.V.D. Sapkal, Senior Advocate a/w Mr.Amit S. Gadekar, Mr.Rohit N. Patil i/by Mr.N.R. Pawade for the Petitioner.
Mr.V.H. Dighe for Respondent No.2.
Mr.D.J. Chaudhary for Respondent No.4.
Mr.D.A. Mane for Respondent No.6.
Mr.K.S. Patil, AGP for Respondent No.1.

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CORAM : MANJUSHA DESHPANDE, J.

RESERVED ON : 03.11.2026
PRONOUNCED ON : 04.11.2026

JUDGMENT :

1. The Petitioner, by way of this writ petition, challenges the order dated 29.10.2026 passed by the Respondent No.1, Divisional Joint Registrar, Co-operative Societies, Latur, in Appeal No.92 of 2026, whereby the appeal filed by the Petitioner was rejected and the order passed by the Returning Officer dated 19.10.2026, was confirmed.

2. The learned Senior Advocate, Mr.V.D. Sapkal for the Petitioner submitted that, the Petitioner is a duly authorized representative of Vividh Karyakari Seva Sahakari Sanstha Maryadit, Ahmedpur, District Latur ('V.K.S.S. Society'). The elections to the Board of Directors of Respondent No.3/Bank have been declared in accordance with the provisions of the Maharashtra Co-operative Societies Act, 1960 and the Maharashtra Co-operative Societies (Election to Committee) Rules, 2014. The Petitioner, being a duly authorized representative of V.K.S.S. Society, Ahmedpur, submitted her nomination to contest the election from the Ahmedpur constituency, which provides for one member in the Managing Committee, each from the ten Talukas mentioned in bye-law No. 30.1-A. It is submitted that, the nomination form was accompanied with documents demonstrating eligibility of the Petitioner. It is submitted that, the Petitioner has experience of working as a member of the Loan Committee of Ahmedpur Primary Agricultural Credit Co-operative Society, Ahmedpur. A certificate issued by the V.K.S.S.

Society, Ahmedpur has been relied upon, which discloses that she has experience to work as a member of the society. It is submitted that, based on the documents placed on record, the Returning Officer has rejected the nomination of the Petitioner vide order dated 19.10.2026, holding that the Petitioner is not eligible to contest the elections in view of bye-law No.35.1.2.(A-2). Being aggrieved by this rejection of her nomination, she has filed an appeal before the Divisional Joint Registrar, Co-operative Societies, Latur, as provided under Section 152-A of the Maharashtra Co-operative Societies Act. Along with the appeal, she has filed an additional affidavit placing on record certain documents in support of her claim. In the memo of appeal, the Petitioner has categorically stated that she possesses the practical working experience as a Committee Member of Agricultural Produce Advisory Committee, which deserves due consideration while examining her eligibility. Hence, she has the requisite experience as contemplated under bye-law No.35.1.2.(A-2). It is stated in the affidavit that, she has experience of working as a member of the managing committee of one Ambika Majoor Co-operative Society Limited, Ahmedpur, which is a member society of the Latur DCC Bank. Thus, in view of the experience certificate issued by the Ambika Majoor Co-operative Society, she fulfills the requisite qualification as provided under bye-law No.35.1.2.(A-2). Therefore, the order passed by the Returning Officer is required to be set aside by including her name in the list of validly nominated candidates. According to the learned Senior

Advocate, since the Petitioner has experience of working on the Managing Committee of Ambika Majoor Co-operative Society Ltd., the condition provided in bye-law No.35.1.2.(A-2) stands fulfilled. Hence, even the order passed by the Appellate Authority, which ignores and fails to interpret the bye-laws, deserves to be quashed and set aside.

3. Per contra, the learned Advocate, Mr.D.J.Chaudhary, appearing for Respondent No.4 the objector to the nomination of the Petitioner submitted that, in the proceedings before the Appellate Authority itself, the claim of the Petitioner of having experience as a member of the Managing Committee has been falsified by placing on record the documents issued by the Assistant Registrar of Co-operative Societies, Ahmedpur for the period 2017-2018 till the end of 2024. The list of the Managing Committee of Ambika Majoor Co-operative Society Limited, Ahmedpur does not disclose the name of the Petitioner in any of the lists placed on record. Thus, according to him, the claim of the Petitioner cannot be sustained on the basis of a certificate issued by the said society. The said certificate is not supported by the documents placed on record. Thus, the nomination of the Petitioner has been rightly rejected by the Returning Officer since the Petitioner does not qualify according to bye-law No.35.1.2.(A-2). He, therefore, submits that the order passed by the Returning Officer as well as the Appellate Authority has been passed after taking into consideration the provisions of the

Maharashtra Co-operative Societies Act, 1960, Rules of 2014, and the bye-laws of the Bank. Hence, it does not deserve any interference.

4. I have heard the respective parties and perused the documents on record. After hearing the parties, the issue involved in the present petition is limited only to the interpretation of bye-law No.35.1.2(A-2) and whether the documents filed by the Petitioner support her claim for the nomination to the post of Managing Committee of Respondent No.3/Bank. The bye-law of the Bank is reproduced hereunder, which reads thus:

> *३५.१.२ अ.२. किमान दोन वर्ष सभासदत्व व सातत्यपर्ण व्यवहार करणाऱ्या सभासद संस्थेचे मतदान प्रतिनिधी हे त्या संस्थेच्या व्यवस्थापक समितीने ठरावा आधारे संचालक पंदाची निवडणूक लढविण्यास शिफारस केलेली असावेत तसेच संस्थेच्या समितीवर सदस्य म्हणून काम केलेला अथवा करीत असलेले असावेत. परंतु समितीवर स्वीकृत सदस्य म्हणून घेतलेला नसावा. तसेच सभासद संथेचे प्रतीनिधीतीत्व करणारी व्यक्ती हि कर्ज पुरवठा करणाऱ्या सभासद संस्थेचे प्रतिनिधित्व करीत असेल तर अशी व्यक्ती त्या मूळ संस्थेची 2 वर्ष कर्जदार सभासद असली पाहिजी."*

5. On perusal of the bye-law, it clear that, it requires fulfillment of various conditions. The first amongst them is that the society whom the candidate is representing should be a member of the Bank for at least two years and there should be regular transactions of the said society with the Bank. The representative should be proposed by the Managing Committee of the society by way of a resolution, and such member proposed by the society should hold experience of working on the Managing Committee of the society or should be working as a member of

such Managing Committee. Since we are concerned with the experience of working on the Managing Committee of the society, the documents placed on record will have to be considered so as to arrive at a conclusion about the issue of experience of working on the Managing Committee of the society. Initially, the Petitioner along with her nomination form had only placed on record the certificate issued by the V.K.S.S. Society, Ahmedpur, which certified that the Petitioner is a member of the society and she has experience of working as a member of the said society, and she does not have any dues towards the society. Except this, there is no other document to support her claim that, she has experience of working as a member of the Managing Committee. In view thereof, Respondent No.2/Returning Officer has rightly passed an order rejecting the nomination of the Petitioner. Although in the appeal filed by the Petitioner she has elaborately tried to interpret bye-law No.35.1.2.(A-2), and has also placed on record the experience certificate of the Ambika Majoor Co-operative Society Limited, Ahmedpur, her claim of working on the Managing Committee of the Ambika Majoor Cooperative Society Limited, Ahmedpur has been countered by Respondent No.4 by placing on record certain documents which disclose that the Petitioner was not included in the list of members of the Managing Committee right from 2017-2018 till the year 2024. These documents have been issued by the Assistant Registrar of Co-operative Societies, Ahmedpur.

6. In view thereof, the claim of the Petitioner that she holds the necessary experience of working as a member of the Managing Committee of the society does not hold good and in any event does not establish her eligibility in terms of bye-law on the basis of which her nomination form has been rejected.

7. Thus, I do not find any infirmity either in the order passed by the Returning Officer dated 19.10.2026 or in the order passed by the Appellate Authority dated 29.10.2026. In the result, the Writ Petition is dismissed.

[MANJUSHA DESHPANDE, J.]