



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

924 WRIT PETITION NO. 15523 OF 2025

Bhausahab Devrao Savasse

VERSUS

The State Of Maharashtra And Others

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Mr. B. V. Thombre - Advocate for the Petitioner

Miss Neha B. Kamble - AGP for State

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CORAM : SMT. VIBHA KANKANWADI
AND

HITEN S. VENEGAVKAR, JJ.

DATED : 30TH JANUARY, 2026

PER COURT : -

1. The present petition has been filed for the following reliefs:

"B. By issuing Writ in the nature of Certiorari or any other appropriate Writ, like nature or any of the direction or order the impugned letter out ward no. 340/2025 dt. 30/09/2025 issued by the Assistant Registrar, Co-operative Societies, Taluka Wadwani, Dist. Beed may kindly be quashed and set aside.

C. By issuing Writ in the nature of Mandamus or any other appropriate Writ, like nature or any of the direction or order to the District Co-operative Election Officer/District Deputy Registrar, Co-operative Societies, Beed to take positive and effective steps on letter bearing no. 5575/2023 dt. 04/08/2023 issued by the Secretary, State Co-operative Election Authority, Pune within four (4) weeks in the light of Rule, 65, 66 and 67 of the Maharashtra Co-operative Societies (Election) Rules, 2014."

2. Heard the learned Advocate for the Petitioner.

3. The Petitioner contends that he is a Member and Voter of Vividh Karyakari Seva Sahakari Society Ltd., Salimba, Taluka Wadwani, District Beed. Respondent No. 1 had issued a Notification dated 20.05.2020 prescribing the limit of election expenses for candidates contesting elections of co-operative societies. The Rules prescribe that election expenses are required to be submitted by every contesting candidate after the elections are over, and if such disclosure is not made within the prescribed period, the Registrar of Co-operative Societies is empowered to declare disqualification of such elected candidate. Respondent No. 5 issued a communication dated 15.05.2023 to five Election Returning Officers of the societies situated within Wadwani Taluka, directing them to report the accounts of election expenses of the elected members of the society of which the Petitioner is a member. The District Co-operative Election Officer or the District Deputy Registrar, Beed, thereafter communicated on 06.07.2023 to Respondent No. 5 in respect of the declaration of disqualification and removal of the elected candidates from the post of Director on the Board of the Society on the ground of non-submission of election expenses by the said elected candidates. It was reported that none of the elected candidates had submitted the accounts of election expenses. As no action was taken by the concerned authorities, the Petitioner submitted an application dated 02.09.2025 to Respondent No. 5 seeking declaration of disqualification

of those persons, relying upon the notice dated 21.08.2023, letters dated 04.08.2023 and 10.08.2023, and the Notification dated 20.05.2020. However, Respondent No. 5 rejected the representation of the Petitioner by communication dated 30.09.2025, stating that since three (3) years had already elapsed from the date of election, no action was required to be taken.

4. The learned Advocate for the Petitioner submits that when statutory duties have not been followed by the elected candidates and they have failed to perform their obligations, it was the bounden duty of the Respondent Authorities to take action against such erring candidates.

5. The first and foremost aspect to be noted is that the representation of the Petitioner was addressed to the Assistant Registrar, Co-operative Societies, Wadwani, and the same came to be rejected on 30.09.2025. The Petitioner appears to have not challenged the said communication before the higher authorities and has directly approached this Court. The Petitioner has not placed on record any material to show that, after the State Co-operative Election Authority issued its letter dated 04.08.2023 to the District Co-operative Election Officer-cum-District Sub-Registrar, Co-operative Societies, Beed, upon considering the report regarding non-submission of accounts of election expenses, the concerned authority took any further action or initiated

proceedings in accordance with the provisions of the Maharashtra Co-operative Societies (Election to Committee) Rules, 2014, as amended by the Maharashtra Co-operative Societies (Election to Committee) (First Amendment) Rules, 2017, particularly Rules 65, 66 and 67 thereof, or whether he took any action. It appears that the Petitioner directly addressed a letter to the Assistant Registrar, Wadwani, only on 02.09.2025. The reason for keeping quiet during the intervening period has not been explained in the pleadings. In these circumstances, the Petitioner has approached this Court belatedly. We do not find this to be a fit case to exercise our powers under Article 226 of the Constitution of India.

6. The Petition stands dismissed.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE