



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL WRIT PETITION NO. 5366 OF 2026

Shaikh Huzaif Shaikh Farok

...Petitioner

Versus

Shri Kishor Jagannathrao Shitole and Others

...Respondents

- Mr. V. D. Salunke, Advocate for the Petitioner
- Mr. V. D. Hon, Senior Advocate i/by Mr. A. S. Kulkarni, Advocate for the Respondent No. 1
- Mr. S. K. Kadam, Advocate for Respondent No. 2
- Mr. P. B. Kadam, Advocate for Respondent No. 3

**CORAM : S. G. CHAPALGAONKAR, J
(VACATION COURT)**

DATE : MAY 28, 2026

P. C.:

1. The Petitioner impugns order dated 18-05-2026 passed by District Cooperative Election Officer and Divisional Joint Register Cooperative Societies, Chhatrapati Sambhajinagar / Respondent No. 2, whereby Petitioner's objection to include name of Respondent No. 1 in list of voters for election of Aurangabad District Central Cooperative Bank Ltd (for short ' **DCC Bank**'), has been rejected.

2. The elections of Respondent No. 3 DCC Bank were due. The Respondent No. 2 Election Officer published notification dated 10-03-2026 inviting resolutions from member societies thereby nominating delegates. The Election Officer published provisional voters list. The Petitioner raised objection for inclusion of name of Respondent No. 1 from societies constituency. As per notification dated 10.03.2026 issued by District Election Officer, resolution

regarding nomination of delegate must have been passed during period from 11.03.2026 to 09.04.2026. However, resolution in favour of Respondent No. 1 is passed on 10.03.2026. As such, there is no valid resolution for his nomination. However, Respondent No.2 rejected petitioner's objection. Hence this Petition.

3. Mr. Salunke, learned Advocate appearing for Petitioner, submits that Respondent No.1 is nominated as delegate of Deogiri Bank as per resolution dated 10.03.2026 of the member society. Accordingly, his name is included in provisional voters list. Admittedly, notice convening meeting dated 10.03.2026 was issued on 02.03.2026. The agenda to select delegate was taken on the spot. When Petitioner raised objection for inclusion of name of Respondent No.1 on basis of resolution dated 10.03.2026, false record is created to show that second resolution dated 20.03.2026 was passed nominating Respondent No. 1 as delegate of member society/Deogiri Bank. The resolution dated 20.03.2026 was never submitted to competent authority and record is created to cure defect in connivance with concerned officers.

4. Per contra, Mr. Hon, learned Senior Advocate appearing for Respondent No. 1, and Mr. Kadam, learned Advocate appearing for Respondent No. 2, submits that Petitioner has no locus standi to raise objection regarding inclusion of name of Respondent No. 1 in provisional voters list. He is neither voter nor nominee of member society for election of DCC Bank. Rule 11(1) of Rules of 2014 prescribes for objection only by voter or representative of member society.

Petitioner being unconcerned with DCC Bank do not have locus to invoke Rule 11 of Rules of 2014.

5. Mr. Hon, learned Senior Advocate appearing for Respondent No. 1, would further submit that resolution dated 20.03.2026 nominating Respondent No. 1 as delegate of DCC Bank was submitted before competent authority on 07.04.2026. Eventually, it was forwarded to Respondent No. 2 Election Officer.

6. The notification dated 10.03.2026 issued by Respondent No. 2 prescribes that member society shall furnish resolution regarding appointment of representatives/delegates with Deputy/Assistant Registrar of Cooperative Societies during period from 11.03.2026 to 09.04.2026. Clause 8 of notification specifies that resolution passed before 11.03.2026 nominating delegates shall not be treated as valid. In light of aforesaid clause, Mr. Salunke, learned Advocate for Petitioner, endeavors to point out that name of Respondent No. 1 is included in provisional voters list on basis of resolution dated 10.03.2026, which is contrary to stipulations in notification. He would further submit that even Respondent No. 1 has admitted the fact that resolution nominating him as delegate was passed on 10.03.2026.

7. The perusal of record indicates that on 10.03.2026 a resolution was passed whereby name of Respondent No. 1 was nominated as delegate at election of DCC Bank. However, after publication of notification, Board of Directors passed another resolution dated 20.03.2026, reiterating nomination of Respondent No.1 being delegate at election of DCC Bank. The copy of resolution was submitted to

Assistant Registrar, Cooperative Societies on 07.04.2026 and same has been considered for purpose of incorporating name of Respondent No. 1 as delegatee of member society. In that view of matter, only because previously resolution dated 10.03.2026 was passed, inclusion of name of Respondent No.1 in provisional voters list on basis of subsequent resolution dated 20.03.2026 cannot be faulted with.

8. Pertinently, nomination of Respondent No.1 is not objected by any member of society or nominee of member society of DCC Bank. The Petitioner has not clarified his status and *locus standi* to raise objection to nomination of Respondent No.1. The Rule 11 of Rules of 2014 prescribes for raising objection by any member of Society concerned, who is voter or any representative authorized to vote on behalf of society. Clause 2 of Rule 11 stipulates that objection shall be by any member of society concerned, by way of separate petition presented to the District Cooperative Election Officer. Looking to scheme of election rules, objection, if any, in terms of Rule 11 can be entertained only at behest of member of society concerned or representative authorized to vote on behalf of society. The Petitioner has not clarified aforesaid aspect either in his objection tendered before Respondent No.2 or in pleading of this Petition. On this count also, Writ Petition is not worthy of consideration.

9. In that view of matter, Writ Petition stands rejected.

(S. G. CHAPALGAONKAR, J.)