

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2058 OF 2026

Sambhaji Kallappa Patil and Others.

...Petitioners.

Versus

The State of Maharashtra and Others.

...Respondents.

*Mr. D. V. Sutar, Ms. Shruti P. Ghodake i/b Reshma J. Adnaik for the Petitioners.
Mr. V. M. Mali, AGP for the Respondent Nos.1 and 2.
Mr. Ruturaj Pawar for the Respondent Nos.3 and 4.
Mr. Prabodh M. Patil for the Respondent Nos. 6 to 52.*

**Coram : Milind N. Jadhav &
Nandesh S. Deshpande , JJ.**

Date : June 15, 2026.

P. C. :

1. The newly impleaded Respondents are represented by Advocate Prabodh Patil. Notice has already been issued. The election is due on 27th June 2026.
2. The objection of the Petitioners is to the inclusion of 51 names as voters in the provisional voters' list. However, Mr. Sutar, learned Advocate appearing for the Petitioner would restrict his case only to the inclusion of 17 members. The principal objection is that these 17 members have not paid the entry fee of Rs.100/- as prescribed by the constitution of the body. According to learned Advocate for the Petitioner, the audit report supports this objection.

3. Be that as it may, according to Mr. Patil, learned Advocate appearing for the newly added Respondents, the entry fee along with share money has been duly paid. Mr. Patil places on record compilation of documents of several pages which are the receipts, *inter alia*, with regard to payment of entry fee and share money by each of these 17 members. This compilation of documents is handed over to Mr. Sutar, learned Advocate appearing for the Petitioners, in Court. *Prima facie*, the principal objection appears to have been taken care of.

4. The case of the Petitioners is *prima facie* based on the audit report which is appended to the petition, more particularly with regard to the remark therein at page 23. However, once the receipts are placed on record, said remark of the auditor becomes redundant. Since the grievance of the Petitioner is based upon mismanagement of institution, the principal issue having been addressed, we do not find any merit in the petition. Petition is, therefore, dismissed.

5. Needless to state that there is liberty to the Petitioners to challenge the outcome of election in accordance with the provisions of the Maharashtra Co-operative Societies Act, 1960 and Rules framed thereunder. All contentions of the Petitioners are expressly kept open.

[Nandesh S. Deshpande J.]

[Milind N. Jadhav, J.]