

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****CIVIL APPELLATE JURISDICTION****CIVIL WRIT PETITION NO. 15082 OF 2025**

Chandan Shrirang Alhat &amp; Ors.

... Petitioners

**V/s.**

State Co-operative Election Authority

Maharashtra State &amp; Ors.

... Respondents

**WITH****WRIT PETITION NO. 15336 OF 2025**

Nilesh Hiranman Bhegade &amp; Anr.

... Petitioners

**V/s.**

State Co-operative Election Authority

Maharashtra State &amp; Ors.

... Respondents

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Mr. Nikhil V. Adkine a/w Mr. Aniesh Jadhav for Petitioners.

Mr. Dilip Bodake for Respondent Nos. 1 and 2.

Mr. B.V. Samant, Addl.G.P. a/w Ms. Rupali Shinde, A.G.P. for Respondent-State.

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**CORAM : A. S. GADKARI AND  
KAMAL KHATA, JJ.**

**DATE : 4<sup>th</sup> May 2026**

**P.C. :**

1) It is an admitted fact on record that, Petitioners were defaulters on 1<sup>st</sup> January 2025 i.e. the cut-off date for preparation of the voters list. Section 27(10) of the Maharashtra Co-operative Societies Act, 1960, reads as

under :-

*“(10) If a member has taken a loan from the society, such member shall, whenever he is a defaulter, as provided in the Explanation to clause (i) of sub-section (1) of section 73CA have no right to vote in the affairs of the society.”*

1.1) The Petitioners who cleared their dues after the cut-off date, do not *ipso facto* become entitled to exercise their right of franchise of Respondent No.4 Society. The Petitioners were well aware of the fact that, they had availed a loan facility from Respondent No.4 and it had to be repaid within stipulated period. If the Petitioners were intending to contest the elections or exercise their right of franchise in elections of Respondent No.4, they ought to have been vigilant and cleared their dues before the cut-off date.

2) In view of the above, we find that, there are no merits in the Petitions and are accordingly dismissed.

3) Needless to mention that, Petitioners would be at liberty to challenge the elections of successful candidates, if so desired and advised.

4) In view thereof, interim relief stands vacated with immediate effect.

( KAMAL KHATA, J. )

( A.S. GADKARI, J. )