

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO.1914 OF 2026**

Ketan Govind Jadhav & Ors.

... Petitioners

V/s.Assistant Registrar Co-op. Societies
Slum Rehabilitation Authority Pune
and Pimpri Chinchwad & Ors.

... Respondents

Mr. Sumant R. Deshpande for the Petitioner.
Ms. Pooja Patil, AGP for the Respondent Nos.1 & 5-State.
Mr. Vishwanath Patil for Respondent Nos.2 & 3.
Mr. Deepak R. More a/w Mr. Shivram A. Gawade for Respondent No.4.

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

DATE : 6th March, 2026

PC:-

1) By this Petition under Article 226 of the Constitution of India, the Petitioners, alleged members of Respondent No.3 – Society are seeking relief for setting aside the provisional voters list, dated 31st January, 2026, published by the Authorized Officer / Election Officer.

2) Heard Mr. S. R. Deshpande, learned Advocate for the Petitioners, Ms. Pooja Patil, learned AGP for Respondent Nos.1 and 5, Mr. Patil for Respondent Nos. 2 and 3 and Mr. D.R. More, learned Advocate for

Respondent No.4. Perused record.

3) With the impugned Notice dated 31st January, 2026 the Authorized Officer has published a provisional voters list.

3.1) In the Notice itself, the remedy i.e. to raise objections to the provisional voters list is mentioned. The said objections were to be raised and/or file on or before 9th February, 2026. The Petitioners instead of raising objections to the provisional voters list have rushed to this Court by invoking jurisdiction under Article 226 of the Constitution of India and filed this Petition on 3rd February, 2026.

4) In Paragraph No.7 of the Petition, the Petitioners have stated that, the Petitioners have no alternative and equally efficacious remedy to redress their grievance and therefore, are filing this Petition. As noted in forgoing Paragraph, the Notice dated 31st January, 2026 itself mentions about the alternate remedy and therefore, the contentions of the Petitioners that they don't have alternate and equally efficacious remedy, cannot be accepted.

5) Upon a query by the Court, Mr. Deshpande, learned Advocate for the Petitioners fairly submitted that, the Petitioners did not even raise an objection to the provisional voters list and also did not point out the lacunae in the provisional voters list to the concerned Authorized Officer.

6) At the request of Mr. Deshpande, we have scrutinized certain membership forms and other relevant documents of some of the members

of Society.

6.1) It is the contention of the Petitioners that, though there were initially only 23 members, in the provisional voters list 61 members have been shown.

7) Whether the Respondent No.3 – Society has 23 members or 61 members is a disputed question of fact and can be adjudicated only after leading necessary legally admissible evidence in that behalf.

8) It is the settled position of law that, while exercising jurisdiction under Article 226 of the Constitution of India, the High Court cannot undertake to conduct a mini-trial to adjudicate whether either of the parties are telling the truth or not.

9) Apart from the aforesaid issue, there are various other disputed questions of fact involved in the Petition, which according to us require adducing evidence by both the sides.

10) In view of the above, we are not inclined to entertain the Petition and is accordingly dismissed.

(KAMAL KHATA, J.)

(A.S. GADKARI, J.)