



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.15131 OF 2025

Kailas Shrinivasrao Deshmukh
vs.
Sandeep Marotrao Kawale and ors.

Mr.Ashish P. Deshmukh, Advocate for petitioner
Mr.Anand V. Patil (Indrale), Advocate for respondent no.1
Mr.K.J.Suryawanshi, Advocate for respondent no.6

CORAM : AJIT B. KADETHANKAR, J.
DATE : MARCH 04, 2026

ORDER :-

The petitioner's election was challenged by the respondent no.1 before learned Co-operative Court, Nanded. After hearing the parties, learned Co-operative Court allowed the Dispute and turned down the election of the present petitioner. The petitioner challenged the decision rendered by the learned Co-operative Court in an appeal before learned Co-operative appellate Court. The appellate Court, however, concurred with the findings rendered by learned co-operative court and dismissed the appeal.

2. It is a matter of record that learned Co-operative appellate Court granted stay to its own order and as such the petitioner could

maintain his position. As against the order passed by learned Co-operative Court, the petitioner has filed present petition.

3. Notices were issued to the respondents. Mr.Indrale-Patil, learned counsel has already filed caveat on behalf of the disputant. On 16.12.2025, this court has extended the interim relief granted by learned co-operative appellate court till next date. It is not in dispute that the interim relief is in existence today also.

4. Mr.Indrale-Patil, learned counsel, in all fairness submits that the term of the elected body including the present petitioner is upto 31.03.2026. Mr.Indrale-Patil, learned counsel for the respondent - disputant would submit that the disqualification of the petitioner has been upheld by learned co-operative court after examining entire evidence on record. He would further submit that the findings of the trial court were upheld by the appellate authority, i.e. co-operative appellate authority, which also being a court of evidence, has scrutinised the entire evidence and thereafter only has confirmed the findings rendered by the co-operative court. He would submit that in that way, the scope in Writ Petition is very narrow and confined only to any jurisdictional error, if any.

5. Learned counsel for the petitioner seeks some time to argue the matter. Stand over to 01.04.2026.

[AJIT B. KADETHANKAR, J.]

KBP