

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.3927 OF 2015

Momin Ishrat Bano Mushtaque Ahmed

Petitioner

Versus

The State of Maharashtra and others

Respondents

Mr.S.A.G. Querishi advocate for the petitioner

Mr. D.R. Kale, GP for Respondent No.1 & 4

Mr. S.T. Shelke, advocate for respondent Nos. 2 & 3

CORAM : R.M. BORDE &
V.K. JADHAV, JJ

Dated : 7th April, 2015.

PER COURT :-

1 The State Government has issued a resolution on 7.4.2015, thereby granting relaxation, from the operation of provisions of Section 9-A of the Maharashtra Municipal Councils, Nagar Panchayats & Industrial Townships Act, 1965, as well as Section 37(2-A) and 19(1-B) of the Bombay Provincial Municipal Corporation Act, 1988 and Maharashtra Municipal Corporation Act.. The candidate desirous of contesting elections shall have to tender a true copy of the application presented to the scrutiny committee or any other proof in respect of presentation and pendency of an application for scrutiny of the caste certificate,

made to the scrutiny committee, along with nomination papers. The returned candidate, shall have to tender the validity certificate within a period of six months from the date of declaration of elections. Necessary instructions have been issued by the State Government under the Circular issued on 7.4.2015.

2 In this view of the matter, we direct respondent Nos. 2 and 3 to accept the nomination papers which the petitioner proposes to tender subject to compliance of the requirements under the circular dated 7.4.2015. It would be open to returning officer to scrutinize the nomination papers on the date prescribed in the election programme and take appropriate decision.

3. In view of the directions as above, writ petition stands disposed of.

4 Parties to act upon authenticate copy of the order.

(V.K. JADHAV, J)

(R.M.BORDE, J)