

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

WRIT PETITION NO. 4238 OF 2015

SHAIKH GULAM SHAIKH RABBANI MOHD HUSSAIN
VERSUS
STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. P.B. Rakhunde
AGP for Respondents : Mrs S.A.Dhumal
Advocate for Respondent 2 : Mr. S.T.Shelke

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CORAM : R. M. BORDE & V.K. JADHAV, JJ.
Dated: April 13, 2015

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PER COURT :-

1. The State Government has issued a resolution on 7.4.2015, and granted Relaxation in respect of the directives contained in relevant provisions of Section 9-A of the Maharashtra Municipal Councils, Nagar Panchayat and 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. It is provided under the Circular that, 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, alongwith nomination papers. The candidate desirous to contest the election shall be required to tender an affidavit that, in the event of his success at election, he would tender validation certificate within six months.

2. In view of the relaxation granted by the State Government under the Resolution, objection raised by the Petitioner to the Returning Officer does not survive and deserve any consideration. Writ Petition is devoid of any substance hence stands rejected.

(V.K. JADHAV, J.)

(R. M. BORDE, J.)

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aaa/-