

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1) WP NO.5115/2013

20 WRIT PETITION NO. 5115 OF 2013

Mr. Adhave Vijaykumar s/o Taterao,
Age 34 year, Occu.Service,
r/o.Milind Nagar, Near Z.P.School,
At Post Wajegaon, Tal. and Dist.Nanded.

...PETITIONER

VERSUS

1. The State of Maharashtra.

AND THREE OTHERS.

...RESPONDENTS.

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Advocate for Petitioner : Mr. Awasarmol Rahul O.
AGP for Respondent State: Mrs. A.V.Gondhalekar
Advocate for respondent no.2: Mr. P.P.Dama h/f Mr.Kadam Nitin S.
Advocate for respondent No.3. : Mr.P.A.Pisal h/f Mr. R.K.Ingole Patil
Advocate for respondent no.4 : Mr.Paranjape Prakash S

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CORAM : R. M. BORDE & P.R. BORA, JJ.

Dated: June 16, 2015

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PER COURT :-

1. The petitioner is praying for issuance of directions to respondent no.3 to cancel membership of respondent no.2 as Corporator of Nanded Waghala Municipal Corporation. The contention of the petitioner is that respondent no.2 has been elected as a Councillor of the Municipal Corporation as against a seat earmarked for Scheduled Caste category. It is contended that respondent no.2 has married an individual professing Muslim religion and has adopted the said religion. It is contended that on

agp/-

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conversion to Muslim religion, the concerned respondent does not have entitlement to claim benefits available to the Scheduled Caste category.

2. The petitioner has neither tendered an application seeking revocation of the caste certificate, or validation certificate nor has raised challenged to the election of respondent no.2 by presenting a petition within the contemplation of the Act. The petitioner has merely tendered an application to the Collector who does not have any authority to deal with the said application.

3. The writ petition is devoid of substance and stands rejected.

(P.R. BORA, J.)

(R. M. BORDE, J.)

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