

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

WRIT PETITION NO.11843 OF 2015

. Jagannath s/o Dhondu Koli,  
Age 54 years, Occu. Private Service,  
R/o Rm/171, Indraprasth Colony,  
Bajaj Nagar, Wadgaon (Kolhati),  
Taluka and District Aurangabad .. Petitioner

Versus

1. The State of Maharashtra,  
through Secretary, Rural  
Development Department,  
Mantralaya, Mumbai
2. Returning Officer for election  
village panchayat of village Wadgaon  
(Kolhati), Taluka and Dist.Aurangabad
3. District Collector, Aurangabad  
Collector Office, Aurangabad ..Respondents

AND

WRIT PETITION NO.11844 OF 2015

. Umabai w/o Dnyaneshwar Kamble,  
Age 35 years, Occu. Household,  
R/o Plot No.40, Galli No.1,  
Bajajnagar road, Chatrapati nagar,  
Wadgaon (Kolhati), Taluka and  
District Aurangabad ..Petitioner

Versus

1. The State of Maharashtra,  
through Secretary, Rural  
Development Department,  
Mantralaya, Mumbai
2. Returning Officer for election  
village panchayat of village Wadgaon  
(Kolhati), Taluka and Dist.Aurangabad
3. District Collector, Aurangabad  
Collector Office, Aurangabad ..Respondents

Mrs S.P. Kakade, Advocate h/f Mr P.B. Kakade, Advocate for petitioner  
Mr A.P. Basarkar, A.G.P. for respondents No.1 and 3  
Mr S.T. Shelke, Advocate for respondent No.2

**CORAM : N.W. SAMBRE, J.**

**DATE : 14th December 2015**

**PER COURT**

Heard.

2. The petitioners' nomination forms for the election to the Gram Panchayat, Wadgaon (Kolhati) in Aurangabad District came to be rejected for non-submission of the receipt about forwarding the proposal for verification for the purpose of caste scrutiny, as the petitioners claim to be belonging to the reserve category.

3. Learned Counsel for the petitioners, while relying upon the order passed by this Court on 1<sup>st</sup> August 2015 in Writ Petition No.7738 of 2015 (Asha Pandurang Bondarde Vs. State Election Commission and ors.) would urge that the proposals were submitted to the office of Collector, Aurangabad, which are acknowledged on 3<sup>rd</sup> December 2015 and it is for the Collector to forward the same to the Divisional Social Welfare Officer, Caste Scrutiny Committee No.1, District Dhule, perhaps for the reason that the certificate was issued by the authority from Dhule. She would then urge that the petitioners cannot be blamed once the proposals to that effect are submitted. According to her, order of rejection of nomination forms in both the petitions is not sustainable.

4. Learned Counsel for the Respondent invited attention of this Court to the endorsement/acknowledgement given by the petitioners receiving original claim, submitted to the Collector, Aurangabad, for processing the same by forwarding it to the District Social Welfare Officer, Caste Scrutiny Committee No.1, Dhule. The petitioners, instead of submitting the proposal to the Committee of Dhule, the same were retained by the petitioners, as such, on this date, there is no proposal pending with the competent authority.

5. Having bestowed my anxious thoughts over the submissions, it is to be noted that both these petitions do not deserve any consideration in view of the fact (a) that the election programme is at advanced stage and (b) the original proposals which were submitted for verification were handed over to the petitioners, for submitting it to the Committee at Dhule, which are not submitted by the petitioners.

6. The judgment of this Court dated 1<sup>st</sup> August 2015 (cited supra) relied upon by the learned Counsel for the petitioners so as to draw support will be of hardly any assistance as in that case, the proposal was pending before the competent authority for verification of the caste claim.

7. In view of above observations, no case for interference is made out. As such, both these Writ Petitions stand dismissed.

**( N.W. SAMBRE, J.)**