

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION St.NO.20003 OF 2015**

Sugandha Balasaheb Dhavale

..Petitioner

Vs.

State of Maharashtra & Ors.

..Respondents

**Mr. R. S. Deshpande a/w Mr. M. B. Gawade for the Petitioner
Mr. S.D. Rayrikar AGP for the Respondent Nos.1 and 2
Mr. S. B. Shetye for the Respondent No.3**

CORAM : R. M. SAVANT, J.

DATE : 28th July, 2015

P.C.

1 The rejection of the Petitioner's nomination by the Returning Officer which the Petitioner has gathered from the news reports and thereafter from the office of the Returning Officer, is taken exception to by way of the above Petition.

2 It is the case of the Petitioner that her nomination has been rejected on the ground that she has not submitted the caste validity certificate or the receipt issued by the Divisional Caste Scrutiny Committee in respect of the Petitioner's submitting her caste validity certificate for validation. It is the case of the Petitioner that the receipt which has been issued by the Divisional Caste Scrutiny Committee on 21-7-2015 was produced by the Petitioner at the time of scrutiny. The elections are to the Grampanchayat Bharadi, Taluka

Ambegaon, which is at some distance from Pune city. The Caste Scrutiny Committee has its office at Pune and hence prima facie it is not possible to believe that the Petitioner had produced the receipt at the time of the scrutiny on 21-7-2015.

3 In any event the assertion by the Petitioner and the denial of the same by the complainant i.e. one Chhaya Anil Gadekar raises disputed questions of fact which cannot be gone into in the Writ Jurisdiction of this Court. It would therefore be open for the Petitioner to adopt appropriate remedy for challenging the elections from the ward, from which she desired to contest after the elections are over. If any such challenged is raised by the Petitioner, needless to state that the same would be considered on its own merits and in accordance with law.

4 With the aforesaid observations, the Writ Petition is dismissed.

[R.M.SAVANT, J]