

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.513 OF 2016

Vajinath Kacharu Gade & another

Petitioners

Versus

The State of Maharashtra & others

Respondents

Mr.S.G.Chapalgaonkar, advocate for petitioners
Mr.S.B.Pulkundwar, A.G.P. for Respondent No.1.
Mr.S.T.Shelke, advocate for Respondents No.2 & 3.

**CORAM : R.M.BORDE &
A.I.S.CHEEMA, JJ.
DATE : 14th January, 2016**

PER COURT:

1 The petitioner is making a grievance in respect of refusal by the Returning Officer for accepting nomination paper sought to be presented by him for contesting election to Village Panchayat, as a candidate belonging to reserved category.

2 Admittedly, petitioner does not possess validity certificate and as such, in view of mandate of Section 10-1A of the Maharashtra Village Panchayats Act, a person, desirous of contesting election to a seat reserved for Scheduled Castes, Scheduled Tribes or, as the case may be, Backward Class of Citizens, shall have to submit, along with the nomination paper, caste certificate issued by the Competent Authority and Validity Certificate issued by the Scrutiny Committee, in accordance with the provisions of the Maharashtra Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of Issuance and Verification of) Caste Certificate Act of 2000. No fault

can be found with the action of Returning Officer in refusing to accept nomination paper of the petitioner, which is not in conformity with the provisions of Section 10-1A of the Act. There is no substance in the writ petition.

3 Hence, Writ Petition stands dismissed.

A.I.S.CHEEMA
JUDGE

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R.M.BORDE
JUDGE