

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO. 3405 OF 2013

KALU RAMDAS PATIL  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...  
Advocate for Petitioner : Mr. Ankush N. Nagargoje.  
AGP for Respondent Nos.1 to 3 : Mr. V.H. Dighe.  
Advocate for Respondent Nos.5 to 11 : Mr. V. P. Patil.  
Respondent No.4 served.

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CORAM : S. V. GANGAPURWALA &  
A. M. BADAR, JJ.

DATE : 21ST JANUARY, 2016.

**PER COURT:**

1] Mr. Nagargoje, learned counsel submits that the respondent No.5 has obtained validity certificate by fraud and contested the election from OBC category. According to learned counsel, subsequent validity certificate is obtained by fraud. Even the respondent No.6 contested election from SC category. The certificate of respondent No.6 was confiscated still she contested the election. According to learned counsel, even the reservation of ward for SC category was improper.

2] Mr. Patil and learned AGP submit that the reservation has been properly made. Petitioner had contested the election from OBC category and had lost.

3] The petitioner may have grievance as far as respondent No.5 is concerned, as respondent No.5 is elected from OBC category. However, it is informed that respondent No.5 has already got validity certificate and the same is challenged by filing a separate writ petition. The aspect of fraud would be taken care of, in those proceedings. As far as averments with

regard to respondent No.6 are concerned, the petitioner would not have any locus standi, as he has contested from OBC category, whereas, respondent No.6 has contested the election from SC category. There is also no challenge about reservation from OBC category being made.

4] In the light of above, writ petition is disposed of. Needless to state that, if there are any other proceeding filed, same shall be decided on its own merits. No costs.

**[A.M. BADAR]**  
**JUDGE**

**[S.V. GANGAPURWALA]**  
**JUDGE**

grt/-