

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

WRIT PETITION NO. 9309 OF 2016

Laxman Maharu Wagh
& another

.. PETITIONERS

VERSUS

The State of Maharashtra
& others

.. RESPONDENTS

Mr. S.S. Phatale, advocate for petitioners.
Mr. K.N. Lokhande, AGP for the State.

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**CORAM : R.M. BORDE &
K. K. SONAWANE, JJ.
DATE : 1st SEPTEMBER, 2016.**

PER COURT :

Learned counsel for petitioners states that the proposal in respect of verification of caste certificate pertaining to petitioner no. 1 is pending with the Scrutiny Committee and no decision has been arrived at whereas petitioner no. 2 has been issued validation certificate. In spite of issuance of validation certificate in favour of petitioner no. 2, proceedings have been initiated against her in respect of declaring her disqualified by taking recourse to section 10(1)(A) of Maharashtra Village Panchayat Act. Since petitioner no. 2 is possessed of validation certificate, it is seriously doubted as to whether such proceedings can be entertained against her.

2. So far as petitioner no. 1 is concerned, learned counsel appearing for Scrutiny Committee, on instructions states that, the caste certificate validation claim in respect of petitioner no. 1 would be dealt with and an

appropriate order will be passed within a period of four months from today.

3. In view of the statement made, the Committee is directed to decide the verification claims in respect of caste certificate of petitioners, as expeditiously as possible, preferably within a period of four months from today. Petitioners who are occupying the office of member of the Village Panchayat, have been served with a notice by the Collector under Section 10(1)(A) of the Maharashtra Village Panchayat Act, 1958. In view of order passed by the Division Bench of this Court in an identical matter i.e. Writ Petition No. 3963/2013, we direct the respondents not to take coercive action against petitioners till disposal of caste certificate verification claims pending with the Scrutiny Committee.

4. With directions as above, writ petition stand disposed of.

(K. K. SONAWANE)
JUDGE

(R. M. BORDE)
JUDGE

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