

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.2289 OF 2017**Sow.Sundarabai Dagdu Rathod and another Vs. The State of Maharashtra and others.**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr.V.P.Kadam, advocate for the petitioners.
 Mr.P.S.Patil, Additional Government Pleader for the State.

**CORAM : S.V.GANGAPURWALA AND
 K.L.WADANE, JJ.**

Date : 20.02.2017.

PER COURT :

1. Heard.
2. Mr.Kadam, learned counsel submits that petitioner Nos.1 and 2 were elected as Members of the Gram Panchayat in the year 2015. The caste claims of the petitioners were referred to the Committee. As far as petitioner No.2 is concerned, the validity has been granted, however, the validation proceedings in case of petitioner No.1 are pending. One of the Member of the Gram Panchayat who is disqualified, filed proceedings before the Collector seeking disqualification of the petitioners on the ground of non-submission of validity certificate within six (6) months. The

learned counsel submits that the Apex Court has stayed the judgment of the Full Bench of this Court in SLP.

3. Learned Additional Government Pleader accepts notice for Respondent Nos.1 to 3.

4. The proceedings are still pending before the Collector. It is correct on the part of the petitioners to state that the judgment of the Full Bench of this Court in case of **“Anant H.Ulahalkar and another Vs. Chief Election Commissioner and others”** reported in **2017 (1) Mh.L.J.431**, is stayed by the Apex Court in SLP bearing No.(C) 1326-1327/2017.

5. The petitioners can bring forth the orders of stay passed by the Apex Court to the concerned authority, where the proceedings are pending. Naturally, the concerned authority is required to take into consideration the orders passed by the Apex Court.

6. The Committee shall endeavour to decide the validation proceedings in respect of the caste claim of the petitioner No.1 expeditiously, preferably within six (6) months.

7. The Writ Petition is disposed of. No costs.

(K . L . WADANE , J .)

(S . V . GANGAPURWALA , J .)

Dt.20.02.2017.
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