

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

**WRIT PETITION NO. 1983 OF 2017
WITH
WRIT PETITION NO. 1989 OF 2017**

Bhumabai Shankar Waghmare ..PETITIONER

VERSUS

State of Maharashtra and Others ..RESPONDENTS

....

Mr. S.B. Bhapkar, Advocate for petitioners.

Mr. R.B. Bagul, A.G.P. for Respondent Nos. 1 and 2 in WP 1983/17.

Mr. V.M. Kagane, A.G.P. for Respondent Nos. 1 and 2 in WP 1989/17.

....

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

DATED : 01st MARCH, 2017

ORDER :

1. We have heard learned A.G.P. appearing for Respondent Nos. 1 and 2 in both matters.

2. Mr. Bhapkar, learned Counsel for petitioner submits that the validation proceeding in respect of caste claim of the petitioners is pending with Respondent No.2 – committee since 2016. Same is not yet decided. However, the Collector invoking the power under Section 10(1) (a) of the Maharashtra Village Panchayat Act issued notice to petitioners

as to why the petitioners should not be disqualified for non submission of the validity certificate within six months.

3. The committee shall decide the validation proceeding in respect of caste claim of petitioners expeditiously and preferably within a period of six months.

4. The petitioners may point out the judgment and order of the Apex Court dated 13th February, 2017 thereby granting stay to the judgment of the Full Bench of this Court in the case reported as **2017 (1) Mh.L.J. 431 (Anant H. Ulahalkar and Another Vs. Chief Election Commissioner and Ors.)**. The authority where the proceeding is pending is bound to consider the order passed by the Apex Court. Writ Petition is disposed of. No costs.

(K.L. WADANE, J.)

(S.V. GANGAPURWALA, J.)

SSD