

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

WRIT PETITION NO. 2330 OF 2017

Vijaya Rajendra Patil

.. Petitioner

Versus

The State of Maharashtra and another .. Respondents

Shri Ajit B. Kale, Advocate for the Petitioner.

Shri Y. G. Gujrathi, A.G.P. for Respondent Nos. 1 and 2.

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

DATE : 21ST FEBRUARY, 2017.

PER COURT :

. Mr. Kale, the learned counsel for the petitioner submits that, considering the judgment of the Full Bench of this Court in a case of Anant H. Ulahalkar and another Vs. Chief Election Commissioner reported in *2017(1) Mh.L.J. 431*, the Collector has issued notice of disqualification on the ground that, within six months validity certificate is not submitted. The learned counsel submits that, the Apex Court in S.L.P. No. 31479 of 2016 with connected S.L.P.'s under order dated 13.02.2017 has stayed the judgment of the Full Bench of this Court. The learned counsel further submits that, now the Collector has reserved the matter for orders.

2. The learned Assistant Government Pleader appears for respondent Nos. 1 and 2.

3. The petitioner can submit the order passed by the Apex Court granting stay to the judgment of the Full Bench of this Court in a case of Anant H. Ulahalkar and another Vs. Chief Election Commissioner referred to supra.

4. Considering the above, the respondent No. 2/Collector is bound to consider the judgment of the Apex Court staying the judgment of the Full Bench of this Court. The petitioner may appear before the respondent No. 2 and point out the order of the Apex Court. The respondent No. 2 certainly would consider the said judgment of the Apex Court. With these observations the writ petition is disposed of. No costs.

[K. L. WADANE, J.]

[S. V. GANGAPURWALA, J.]