

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3863 OF 2017

(Jayshree Dilip Baviskar Vs. The State of Maharashtra
and others)

AND

WRIT PETITION NO. 3864 OF 2017

(Sangita w/o Pundlik Koli @ Sangita d/o Raghunath
Sapkale Vs. The State of Maharashtra and others)

AND

WRIT PETITION No.3865 OF 2017

(Vidya w/o Harishchandra Bombe @ Vidya d/o Raghunath
Khandelkar Vs. The State of Maharashtra and others)

Mr. Sagar S. Phatale, Advocate for the Petitioners in
all the Writ Petitions

Mr. P.S.Patil, A.G.P. for the respondent/State

**CORAM : S.V. GANGAPURWALA AND
SANGITRAO S. PATIL, JJ.**

DATE : 22nd MARCH, 2017

ORAL ORDER :

Heard.

2. Mr.Phatale, the learned counsel for the petitioners submits that the validation proceedings in respect of the tribe claim of the petitioners are pending before the Committee since 2015. The same are not yet decided. The Collector has issued notice seeking disqualification of the petitioners on the ground that the validity certificates are not submitted by them within a period of six months.

3. Mr. Phatale further submits that the judgment of Full Bench of this Court in the case of **Anant H. Ulahalkar and another Vs. Chief Election Commissioner and others 2017 (1) Mh.L.J. 431**, has been stayed by the Hon'ble the Apex Court on 13th February, 2017 and hence the proceedings before the Collector be stayed.

4. We have heard the learned A.G.P. for the respondents.

5. The respondent No.3-Committee shall decide the validation proceedings in respect of the tribe claim of the petitioners expeditiously and preferably within a period of four months. The petitioners shall co-operate with the Committee for expeditious disposal of the validation proceedings. The petitioners shall appear before the Committee on 11th April, 2017.

6. The petitioners may bring to the notice of the Collector or the Authority concerned the order passed by the Hon'ble the Apex Court on 13th February, 2017, thereby staying the judgment and order passed by Full Bench in the case of **Anant H. Ulahalkar and another** (supra). The same naturally shall be considered by the

Collector.

7. The writ petitions accordingly stand disposed off. No costs.

[SANGITRAO S. PATIL]
JUDGE

[S.V. GANGAPURWALA]
JUDGE

sam/wp3863-2017+others