

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11918 OF 2017

VINOD UTTAM GUDHEKAR
VERSUS
THE RETURNING OFFICER GRAMPANCHAYAT ELECTION
AND OTHERS

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Advocate for Petitioner : Shri Rakhunde P.B. h/f Shri Kulkarni G.B.

AGP for Respondents - State authorities : Shri Bhagat N.T.

Advocate for Respondent - SEC : Shri Shelke S.T.

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CORAM : RAVINDRA V. GHUGE, J.

Dated: September 27, 2017

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PER COURT :-

1. The petitioner challenges the rejection of his nomination form on the ground that the proof of his pending claim for validation of the caste certificate with the competent Scrutiny Committee under Maharashtra Scheduled Castes, Scheduled Tribes, De Notified Tribes, (Vimukta Jatis), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of Issuance and Verification of) Caste Certificate Act, 2000 (Maharashtra Act No. XXIII of 2001), has not been submitted.

2. Section 10(1A) read with the first proviso thereunder and Clause (i) indicates that the proof of the pendency of the caste claim for validity certificate has to be annexed to the nomination form. Admittedly, same is not annexed. So also, no such document is

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produced before the Returning Officer, during the scrutiny of the nomination papers.

3. This petition being devoid of merits is, therefore, dismissed.

(RAVINDRA V. GHUGE, J.)

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