

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

**WRIT PETITION NO.3727 OF 2017
WITH
C.A.ST.NO.9690 OF 2017.**

Smt.Surekha W/o Tukaram
Patil @ Sunita Bhika Patil ... Petitioner.

Versus

The State of Maharashtra
and others. ... Respondents.

...

Mr.S.S.Phatale, advocate for the petitioner.
Mr.M.B.Bharaswadkar, A.G.P. for the State
Mr.U.R.Awate, advocate holding for Mr.Ramraje
Deshmukh, advocate for intervener.

...

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

Date : 21.3.2017.

PER COURT :

1. Heard.

2. Mr. Phatale, the learned counsel for the petitioner submits that the Collector has issued notice to the petitioner for disqualification on the ground that validity certificate is submitted after lapse of six months. The learned counsel submits that judgment of the Full Bench of this Court in case of Anand Vs. State Election Commissioner, reported in 2017 (1) Mh.L.J. 431 is stayed by the Apex Court on 13.02.2017.

3. We have also heard learned A.G.P.

4. The proceedings are still pending with the Collector. The petitioner can point out the order of stay granted by the Supreme Court to the Judgment of the Full Bench of this Court, referred to supra. The Collector is bound to consider the order of the Apex Court staying the judgment of the Full Bench of this Court.

5. Mr. Awate, learned counsel submits

that the intervention application is filed. The petitioner has committed a fraud and the intervener is party before the Collector. The intervener may make his submissions before the Collector, which naturally, would be considered by the Collector while passing final order.

6. With this observation, writ petition is disposed of. No costs.

7. Civil Application also stands disposed of.

8. Authenticated copy be given.

(SANGITRAO S. PATIL, J.)

(S.V.GANGAPURWALA, J.)

