

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4105 OF 2017

Faraha Ashfakali Shaha

.. Petitioner

vs

The Returning Officer, Thane Municipal
Corporation & ors

.. Respondents

Mr.S.G.Kudle for Petitioner

Mr.Arvind Aswani I.b Mr,J.G.Reddy for Respondent no.3

Mr.N.C.Walimbe Asst.Govt.Pleader for Respondent nos.2 & 4

Mr.Telesh Dande I.b M/sTelesh Dande & Associates
for Respondent no.5

Mr.M.R.Bohra I.b Mr.S.B.Shetye for Respondent no.6

**Coram : SMT.VASANTI A.NAIK AND
RIYAZ I.CHAGLA, JJ**

Date : 2nd NOVEMBER 2017

P.C.:

By this writ petition, the petitioner has challenged the election of the respondent no.5 as a Corporator on the basis of validity certificate that was allegedly secured by her by practising fraud on the Caste Scrutiny Committee.

The learned counsel for respondent no.5 states that a complaint in regard to the alleged wrongful issuance of caste validity certificate in favour of the respondent no.5 is made by the petitioner before the Caste Scrutiny Committee and the Caste Scrutiny

Committee has issued notices to the respondent no.5 and some others for considering the complaint made by the petitioner. It is stated that since the respondent-Caste Scrutiny Committee is taking cognizance of the matter, the grievance of the petitioner would stand redressed at this stage.

Since the Caste Scrutiny Committee is taking cognizance of the complaint made by respondent no.5 and is considering the correctness or otherwise of the issuance of the validity certificate in favour of respondent no.5, we dispose of the writ petition with a direction to the Caste Scrutiny Committee to decide the matter as early as possible.

Order accordingly. No order as to costs.

(RIYAZ I.CHAGLA J)

(SMT.VASANTI A.NAIK, J)