

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
WRIT PETITION NO. 5859 OF 2015

Revansiddh Tukappa Awaje and others

.....Petitioners

V/s.

Caste Certificate Scrutiny Committee and Ors

.....Respondents

Mr. Anant Vadgaonkar for the petitioner.

Mr. A. P. Vanarase AGP for the State.

Mr. M. U. Rajput for respondent no. 6.

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

DATE : OCTOBER 30, 2017.

P.C.

By this writ petition, the petitioner seeks a declaration that the caste validity certificate issued by the Scrutiny Committee in favour of the respondent no. 6 is illegal as the same is secured by the respondent no. 6 by deceit.

The petitioner and the respondent no. 6 had contested the election to the Grampanchayat. The respondent no. 6 was elected. According to the petitioner, the respondent no. 6 had secured the caste validity certificate by deceiving the scrutiny committee. Hence, the present writ petition is filed seeking a declaration that the caste validity certificate issued in favour of the

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respondent no. 6 is invalid and the respondent no. 6 would not be entitled to work as the member of the Grampanchayat on the basis of the same.

The learned counsel for the respondent no. 6 states that the cause for filing the writ petition is rendered infructuous as the tenure of the respondent no. 6 as the member of the Grampanchayat has come to an end in September 2017. It is stated that since the tenure of the respondent no. 6 as the member of the Grampanchayat has come to an end, the cause for filing the writ petition may not survive.

By accepting the submission made on behalf of the respondent no. 6, we dispose of the writ petition by keeping the challenge in regard to the grant of validity certificate in favour of the respondent no. 6, open. No order as to costs.

[RIYAZ I. CHAGLA J.]

[SMT. VASANTI A. NAIK, J.]