

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 3106/2007

(MALLAREDDY ALIAS MALLANA SAKANA PANJWAR VERSUS THE DIVISIONAL CASTE SCRUTINY
 COMMITTEE & OTHERS)

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

None for the petitioner.
 Shri K.L. Dharmadhikari, A.G.P. For the R-1 & 3.
 Shri M.I. Dhattrak, counsel for the R-2.

CORAM : SMT. VASANTI A NAIK AND
V.M. DESHPANDE, JJ.

DATE : JANUARY 09, 2017.

By this writ petition, the petitioner had challenged the validity certificate issued to the respondent no.2.

The petitioner and the respondent no.2 had contested the election of the Zilla Parishad on a seat, that was earmarked for the Other Backward Classes. According to the petitioner, though the respondent no.2 does not belong to the Other Backward Classes, he had made a false claim in regard to the same and the claim of the respondent no.2 was validated by the scrutiny committee. Since the respondent no.2 was elected as a member of the Zilla Parishad, the petitioner had filed the writ petition in the year 2007.

The cause for filing the writ petition is rendered infructuous due to the passage of time. At the relevant time, the petitioner was aggrieved by the order of the scrutiny committee granting a validity certificate in favour of the respondent no.2 as the respondent no.2 was elected as a member of the Zilla Parishad. The term of the office of the

member of the Zilla Parishad is five years and the said period has expired during the pendency of the writ petition. If an occasion arises in future for the petitioner to challenge any action on the part of the respondent no.2 of contesting an election, the petitioner may take up appropriate proceedings.

In view of the aforesaid, the writ petition is disposed of with no order as to costs.

The points raised in the petition are, however, kept open.

JUDGE

JUDGE

APTE