

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 614 OF 2017

Vyankatrao Raosaheb Shejule
and another

..Petitioners

Versus

The Collector, Nanded
and others

.. Respondents

Mr. Umakant B. Desmukh, Advocate for the
Petitioners.

Mr. A. V. Deshmukh, A.G.P. for Respondent No. 1.

Mr. M. D. Narwadkar, Advocate for Respondent Nos.
2 and 3.

Mr. Ashok R. Tapse, Advocate for Respondent No. 4.

CORAM: S. V. GANGAPURWALA, J.

DATE: 16th August, 2018

PER COURT :

1. It is submitted that subsequently the
validity certificates have been issued to
respondent nos. 2 and 3.

2. Mr. Deshmukh, the learned counsel submits
that the full Bench of this Court in a case of
Anant H. Ulahalkar and another Vs. Chief Election
Commissioner and others dated December 9, 2016 has
held that submission of validity within six months
as per Section 10 (1)(A) of the Maharashtra
Village Panchayat Act, 1959 is mandatory and
failure to do so would result in

disqualification, still the same was not considered by the Collector.

3. The learned counsel for the respondent submits the judgment of full Bench of this Court in a case of **Anant H. Ulahalkar and another Vs. Chief Election Commissioner and others** (*supra*) has been stayed by the Apex Court.

4. In view of the stay granted by the Apex Court to the judgment of the full Bench of this Court, at present no relief can be granted to the petitioners.

5. In case the Apex Court upholds the judgment of the full Bench of this Court in case of **Anant H. Ulahalkar and another Vs. Chief Election Commissioner and others** (*supra*), then the petitioners would have a fresh cause of action to proceed.

6. In view of that, writ petition stands disposed of. No costs.

[S. V. GANGAPURWALA, J.]

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