

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

WRIT PETITION NO. 5188 OF 2017

Pandurang Gahininath Davne
and another .. Petitioners
Versus
The State of Maharashtra and others .. Respondents

**WITH
WRIT PETITION NO. 5206 OF 2017**

Devidas Bhimraj Bhagat and others .. Petitioners
Versus
The State of Maharashtra and others .. Respondents

**WITH
WRIT PETITION NO. 5297 OF 2017**

Swati Kondibhau Unde and another .. Petitioners
Versus
The State of Maharashtra and others .. Respondents

**WITH
WRIT PETITION NO. 5298 OF 2017**

Ashok Shivaji Londhe and another .. Petitioners
Versus
The State of Maharashtra and others .. Respondents

**WITH
WRIT PETITION NO. 5299 OF 2017**

Sangita Yohan Gaikwad @
Sangita Sahebrao Kamble .. Petitioner
Versus

The State of Maharashtra and others .. Respondents

**WITH
WRIT PETITION NO. 5867 OF 2017**

Arvind Bansilal Sangale .. Petitioner

Versus

The Divisional Commissioner Nashik
and others .. Respondents

**WITH
WRIT PETITION NO. 6490 OF 2017**

Monika Pravin Javale @
Monika Bandu Vyavhare .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

**WITH
WRIT PETITION NO. 6494 OF 2017**

Anita Baban Chaure @
Anita Dnyandeo Hajare .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Vivek V. Tarde, Advocate for Petitioners in all matters
except W. P. No. 5867 of 2017.

Shri Prashant N. Khedkar, Advocate for the Petitioner in W. P.
No. 5867 of 2017.

Shri A. S. Shinde, A.G.P. for the Respondent/State in all matters.

**CORAM : S. V. GANGAPURWALA AND
A. M. DHAVAL, JJ.**

DATE : 08TH MARCH, 2018.

FINAL ORDER :

. The learned counsel for the petitioner in Writ Petition No. 5867 of 2017 seeks leave to correct the name of the petitioner. Leave granted.

2. The learned counsel for petitioners submit that, in all these matters petitioners have been issued with validity certificates, but after the period of six months. However, the authority on the ground that validity certificates are not submitted within six months has disqualified them. The learned counsel submits that, the Apex Court in SLP No. 29874 and 29875 of 2016 has stayed the judgment of the Full Bench of this Court in a case of Anant H. Ulahalkar Vs. Chief Election Commissioner reported in 2017(1) *Mh. L. J.* 431.

3. We have also heard the learned Assistant Government Pleader respondents.

4. In view of the fact that, the judgment of the Full Bench of this Court in a case of Anant H. Ulahalkar Vs. Chief Election Commissioner (supra) holding the stipulation of submission of validity certificate within six months to be mandatory is stayed by the Apex Court in S.L.P. No. 29874 and 29875 of 2016, the impugned orders are quashed and set aside.

5. In case, the Apex Court upholds the judgment of the Full Bench of this Court in a case of Anant H. Ulahalkar Vs. Chief Election Commissioner (supra), then the authority is at liberty to initiate fresh action against the petitioners. The writ petitions are disposed of. No costs.

[A. M. DHAVALÉ, J.]

[S. V. GANGAPURWALA, J.]

bsb/March 18