

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 11982 OF 2016**

Yasmin Wasir Patel .....Petitioner  
V/s.  
State of Maharashtra & Ors. ....Respondents

Mr. S.N. Biradar i/b. Kalpesh U. Patil for the petitioner.  
Mrs. M.P. Thakur, AGP for the State/R.Nos.1,3,4 and 6.  
Mr. Mayur Jadhav i/b. Sachindra B. Shetye for R.No.7.

**CORAM: RANJIT MORE, AND  
SMT. ANUJA PRABHUDESSAI, JJ.**

**DATE : 28<sup>TH</sup> MARCH, 2018.**

**P. C. :-**

. The petition is filed for following reliefs :-

*“ b. to issue a writ of mandamus or writ or direction of similar nature directing the Respondents to accept the nomination paper filed by the Petitioner as valid in absence of caste validity certificate attached to the nomination paper ; ”*

(ii). On 15<sup>th</sup> October, 2016, we passed the following order :-

*“ 1. Heard learned Counsel appearing for the Petitioner and learned AGP for the State. There is no dispute that the Petitioner is elected as a member of village panchayat Gote from OBC category in the general election held in the year 2015. The caste validity claim of the petitioner is pending*

*with the Caste Scrutiny Committee – Respondent No. 6 herein. In these circumstances, we are of the prima facie view that the Petitioner is entitled to contest election to the post of Sarpanch of village panchayat Gote from the category of OBC which is scheduled to take place on 17<sup>th</sup> October 2016. We therefore as and by way of interim order, direct Respondent No.2 and Respondent No. 4 to accept the Petitioner's nomination for the post of Sarpanch for village panchayat Gote. This interim order is subject to the order the caste scrutiny committee.*

*2. We also direct Respondent No.6 – the Caste Scrutiny Committee to expedite the caste verification claim of the Petitioner and dispose of the same within eight weeks from today.*

*3. Stand over to 15<sup>th</sup> December 2016. ”*

(iii) A perusal of the order makes it clear that this petition is worked out by the interim order. Petition is accordingly disposed of.

**(SMT. ANUJA PRABHUDESSAI, J.)**

**(RANJIT MORE, J.)**