

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.2905 OF 2018

Bhagirata w/o Bapurao Pendor

Vs.

Returning Officer, to the Election of Grampanchayat Arli, Dist. Yavatmal

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

Court's or Judge's orders

Shri S. D. Chopde, Advocate for petitioner.
Shri N. R. Patil, AGP for respondent.

CORAM : Z.A.HAQ, J.

DATED : MAY 22, 2018.

Heard.

The petitioner challenges the order passed by the Returning Officer rejecting her Nomination Paper on the ground that though she has submitted the Nomination Form to contest election for the seat reserved for Scheduled Tribe candidate, she has not annexed Caste Validity Certificate nor the acknowledgment given by the Caste Scrutiny Committee showing that proposal for verification of her Caste Certificate is pending before the Caste Scrutiny Committee.

The facts on record show that the petitioner got the Caste Certificate on 10th May 2018 and she submitted it to the Tahsildar, Kelapur on 11th May 2018 who in turn submitted the proposal to the Caste Scrutiny Committee. The petition is silent about the fact as to when the petitioner approached the Competent Authority for

obtaining the Caste Certificate.

The petitioner claims that she has produced the copy of Caste Certificate and the acknowledgment given by the Caste Scrutiny Committee at the time of scrutiny of her Nomination Form, however, the Returning Officer refused to accept those documents.

This claim of the petitioner is denied by the Returning Officer.

Be that as it may, considering the facts of the case, I am not convinced that the petitioner is entitled for any relief under extraordinary jurisdiction of this Court. The Writ Petition is dismissed. In the circumstances, parties to bear their own costs.

It would be open for the petitioner to avail appropriate remedy according to law at appropriate stage if so advised.

JUDGE