

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 3631 OF 2018

(Archana Ramdas Gawali @ Archana Siddarth Mahale vs. The Collector, Buldhana & Anr.)

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

Court's or Judge's orders.

**CORAM : B.P. DHARMADHIKARI &
M.G. GIRATKAR, JJ.
SEPTEMBER 11, 2018.**

Heard Shri P.S. Kshirsagar, learned counsel for the petitioner and Ms. N.P. Mehta, learned AGP for the respondents.

2. The petitioner did not submit caste validity certificate within a period of six months as undertaken by her. Her caste claim is still not decided.

3. The learned AGP points out that the judgment dated 23.08.2014 delivered by the Hon'ble Apex Court concludes the issue against the petitioner.

4. The similar controversy is looked into by this Court in Writ Petition No. 5780 of 2018 on 07.09.2018. In that petition we have found that the Hon'ble Apex Court has in its order dated 23.08.2014 in SLP (C) 29874-28975/2016 (*Shankar vs. State of Maharashtra*) while upholding Full bench judgment of this Court and noticing questions framed by that Full Bench and also answers given there, held that the petitioner cannot be permitted to

continue on the post after expiry of period of six months. The answer given by Full Bench to Question No. 2 is sufficient to reject the petition to that extent.

5. Hence, though the petitioner cannot be reinstated as Member of Gram Panchayat, we direct respondent No. 2 – Scrutiny Committee to complete verification of her caste claim at the earliest and in any case within one year.

6. Writ Petition is accordingly disposed of. However, there shall be no order as to costs.

JUDGE

*GS.

JUDGE

Gopichand
Tanwarram
Shamdasani

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