

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.12823 OF 2018
(Ravindra Waman Koli Vs. The State of Maharashtra and others)

Mr.Paresh B.Patil, Advocate for the petitioner.
Mr.N.T.Bhagat, AGP for respondent Nos. 1 and 2.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 11/12/2019

PER COURT :

1. By the order of the learned Administrative Judge, dated 18/01/2019, this matter is listed before this Court alongwith WP No.809/2019.

2. In this petition, the issue is of the petitioner having a third child born after 13/09/2000 which is the date of introduction of the disqualification amendment in view of the judgment of the learned Full Bench of this Court in the matter of Subhash Sajesingh Gavit Vs. The Returning Officer, Z.P.Nandurbar and others in WP No.6993/2008, dated 17/10/2019. The petitioner has therefore incurred disqualification.

3. The learned Advocate for the petitioner submits that

considering the view of this Court that if a child is disowned by an elected representative, this Court would direct a DNA test and would direct registration of a criminal offence, if a fraud is noticed, the petitioner is not willing to make any statement and is not passing on any instructions to the learned Advocate.

4. In view of the above and considering the concurrent findings of the District Collector as well as the Additional Divisional Commissioner, Nasik, this petition is dismissed.

(Ravindra V.Ghuge, J.)