

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

WRIT PETITION NO.6707 OF 2019

**REKHA DEVIDAS BAVISKAR ALIAS REKHA RAJENDRA KOLI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

**Advocate for Petitioner : Phatale Sagar S
AGP for Respondents: S.B.Yawalkar**

**CORAM : S.V.GANGAPURWALA &
MANGESH S. PATIL, JJ.**

DATE : 18/06/2019

PER COURT :

The proposal of the petitioner for validation of her tribe claim has been rejected on the ground that the petitioner did not file documents showing that she has been elected and that the petitioner did not respond to the deficiencies pointed out by the committee. In view of that vigilance was also not conducted.

2] We have heard learned counsel for the petitioner and Mr.Yawalkar, learned Addl.Govt.Pleader.

3] The committee has to decide the proposal even if the candidate is not elected. In the present case it is submitted by Mr.Phatale, learned counsel that the petitioner is elected as a Sarpanch.

4] At the same time it is also the duty of the petitioner to be in touch with her proceeding before the committee.

5] Considering the fact that the matter is not decided on merits, the impugned order is quashed and set aside. The petitioner shall appear before the committee on 27/06/2019. The petitioner may file whatever documents she wants to place reliance upon. The committee shall thereafter decide the proceeding on its own merits in accordance with law expeditiously preferably within four months from the date of appearance.

6] Writ Petition is accordingly disposed of. No costs.

(MANGESH S. PATIL,J.)

(S.V.GANGAPURWALA,J.)

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