

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 13827 OF 2018

SHARDABAI GAJANAN GAWADE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. S. P. Salgare h/f.
Mr. Gaware Niteen V.
Addl.GP for Respondents No.1 & 2 : Mr. P. S. Patil
Advocate for Respondent No. 3 :
Mr. A. A. Nimbalkar h/f. Mr. S. R. Zambare

CORAM: S. V. GANGAPURWALA &
A. M. DHAVALA, JJ.

DATE: 24th JANUARY, 2019

PER COURT :

1. We have heard Mr. Salgare, learned Advocate for the petitioner and the learned Additional Government Pleader for respondents no. 1 and 2, so also, Mr. Nimbalkar, learned Advocate h/f. Mr. Zambare, learned Advocate for respondent no. 3.

2. The petitioner assails the validity certificate issued in favour of respondent no. 3.

3. The petitioner has already approached the scrutiny committee by filing the complaint on the ground that fraud has been committed by respondent

no. 3 by obtaining the validity.

4. In case, the case of the fraud is made out, then the scrutiny committee has powers to re-consider the validity certificate issued.

5. The petitioner has already approached the scrutiny committee. The scrutiny committee shall consider the complaint filed by the petitioner. It shall also hear the petitioner and respondent no. 3 and thereafter take decision as to whether the proceeding granting the validity certificate to respondent no. 3 is required to be re-opened.

6. Needless to state, on any decision taken thereupon; parties are entitled to agitate.

7. Needless to state, the scrutiny committee shall act expeditiously, and preferably the said decision shall be taken within six (6) months.

8. With these observations, the writ petition stands disposed of. No costs.

[A. M. DHAVAL, J.] [S. V. GANGAPURWALA, J.]
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