

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

WRIT PETITION NO.13174 OF 2019

VIJAYABAI PARMESHWAR MANDLE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for the Petitioner : Shri S. N. Patne
AGP for the Respondents – State : Shri S. R. Yadav - Lonikar
...

CORAM : RAVINDRA V. GHUGE, J.

DATED : 18th OCTOBER, 2019.

...

PER COURT :

1. The petitioner is aggrieved by the order dated 09/08/2019 delivered by the District Collector Osmanabad, by which, the petitioner has been disqualified as a Grampanchayat Member, under Section 10 (1A) of The Maharashtra Village Panchayats Act, 1959 having failed in submitting the Caste Validity Certificate within the prescribed time.

2. The learned AGP points out that the last Maharashtra Ordinance II dated 14/02/2019 protects some candidates till 14/05/2019. The petitioner

received the Validity Certificate in August 2019. As such, the petitioner is not protected under Section 10(1A) and the Ordinance is introduced by the State.

3. I have considered the strenuous submissions of the learned Advocate for the petitioner and I have gone through the grounds formulated in the memo of the petition.

4. It is obvious that the petitioner is not protected in view of the Maharashtra Ordinance II dated 14/02/2019. The order of the District Collector is neither perverse nor erroneous. This petition, being devoid of merit is, therefore, dismissed.

(RAVINDRA V. GHUGE, J.)

shp/-