

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

24 WRIT PETITION NO.388 OF 2019

SHIVGANGA SHANKAR KADAM

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Shri Undre Vikram S

GP for Respondent nos.1 to 5: Shri A.B. Girase with AGP
Shri A.P. Basarkar

Advocate for Respondent no.6 : Shri Kadethankar Ajit B.

**CORAM: NARESH H. PATIL, CJ &
V.M. DESHPANDE, J.**

DATE: 25.03.2019

PER COURT :

1] Perused the order, annexed at page no.37 of the petition, passed by the Apex Court and the Ordinance No.XXI of 2018 dated 11.10.2018, annexed at page no.78. Clause (8) of the Ordinance refers to "Saving as to certain disqualifications". It is submitted that the petitioner was elected as Sarpanch in August, 2015. It is further submitted that the petitioner failed to submit the validity certificate within a period of six months. The petitioner in fact prays that he be declared as Sarpanch. The petitioner has challenged clause (2) of

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Chapter II of the Maharashtra Ordinance No.XXI of 2018.

2] Learned Government Pleader would take instructions in respect of further developments after passing of Ordinance No.XXI of 2018.

3] In the facts and circumstances of the present case, we are not inclined to grant any interim relief.

4] The Collector of the concerned District shall look into the matter on priority basis.

5] S.O. to 8.4.2019.

(V.M. DESHPANDE, J.)

CHIEF JUSTICE