

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

WRIT PETITION NO. 13577 OF 2018

Bansi Dattatray Karale

... Petitioner

Versus

The State of Maharashtra & Ors.

... Respondents

..
Mr Shaikh Mazhar A. Jahagirdar, Advocate for the petitioner
Smt. Vaishali N. Patil-Jadhav, AGP for respondent/State
..

**CORAM : S. V. GANGAPURWALA
AND
A. M. DHAVAL, JJ.**

DATE : 18TH APRIL, 2019

ORAL ORDER:

1. Heard Mr Shaikh Mazhar A. Jahagirdar, learned counsel for the petitioner and Smt. Vaishali Patil-Jadhav, learned Assistant Government Pleader for respondent/State.

2. The petitioner is disqualified as a Member of the Gram Panchayat on the ground that the petitioner did not submit the validity certificate within six months as contemplated under the proviso to Section 10-1(A) of the Maharashtra Village Panchayat Act, 1958.

3. Reliance is placed on the Ordinance of the Maharashtra Village Panchayats and the Maharashtra Zilla Parishads and Panchayats Samitis (Amendment) Act, 2018 whereby the elections from 26.03.2015 are protected i.e. the validity is to be submitted within one year from the date of election.

4. It is submitted that the petitioner has submitted validity within one year.

5. In light of the above, the impugned action sought to be initiated under letter dt. 22.11.2018 (Exh. D) is set aside.

6. The Writ Petition is accordingly allowed. No costs.

7. In view of disposal of writ petition, pending civil application no more survives and same stands disposed of.

[A. M. DHAVAL]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

Punde