

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION (L) NO.837 OF 2019

Sagun Vasant Naik	...	Petitioner
Versus		
State Election Commission		
Maharashtra State through its		
Commissioner And Others	...	Respondents

Mr. C.K. Bhangoji for the Petitioner.
Ms. Sarika Shetye i/b Mr. S.B. Shetye for Respondent No.1.
Mr. Y.P. Deshmukh a/w Ms. Sheetal Metakari for Respondent No.2-MCGM.
Mr. P.J. Thorat i/b Mr. Sandeep Sharma for Respondent No.3.

CORAM : S.C. GUPTE, J.

DATE : 5 APRIL 2019

P. C. :

. This writ petition challenges an order passed by the Small Causes Court at Mumbai, in an election petition. The order of the Small Causes Court, quashing and setting aside the election of the Petitioner as a Municipal Corporator, was passed on the basis that the status of the Petitioner as an OBC candidate for the election to a constituency reserved for OBC, could not be countenanced, since the Caste Scrutiny Committee has invalidated his caste certificate. At the stage of filing of the present writ petition, the order of Caste Scrutiny Committee invaliding his caste certificate was challenged by the Petitioner in a writ petition before a Division Bench of this Court in a review petition. At the hearing of the review petition, the Petitioner withdrew his challenge, stating that he did not intend to disturb the election which had already been held and was

contested by him. The Division Bench, by its order dated 29 March 2019, accordingly, disposed of the review petition. In the premises, nothing survives in the present writ petition and the same is disposed of as infructuous.

(S.C. GUPTE, J.)