

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

ELECTION PETITION NO.11 OF 2014

Dilip Manglu Borse	...	Petitioner
Versus		
Sau. Deepika Sanjay Chavan		
And Others	...	Respondents

.....

Mr. G.S. Godbole a/w Mr. Sumit S. Kothari i/b Ms. Manjiri S. Parasnis for the Petitioner.
Mr. M.N. Sandhyanshiv for Respondent No.1.

.....
CORAM : S.C. GUPTE, J.

DATE : 15 NOVEMBER 2019

P. C. :

. This election petition challenges the election of Respondent No.1 to Maharashtra Legislative Assembly from Constituency No.116 of Satana Baglan, reserved for the Scheduled Tribe. The term of the assembly has come to an end during the pendency of the election petition. As a matter of fact, the same seat is now held by the election petitioner himself. Accordingly, the election petition has become infructuous and is disposed of as such.

2 The main controversy in the petition, however, as to whether Respondent No.1 is from a Scheduled Tribe or not has been kept open. The court is informed that an order passed by the Tribe Scrutiny Committee in this behalf has been quashed and set aside and the matter is now before the Scrutiny Committee for a fresh hearing

in accordance with law. Any decision of the Scrutiny Committee may have consequences even as regards the assembly seat which was held by Respondent No.1 and which was the subject matter of challenge in this petition. These matters are, however, are not decided and will be governed in accordance with law.

(S.C. GUPTE, J.)