

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.7842/2017

Sau. Santubai Baburao Wankhade

..Vs..

Additional Commissioner, Amravati Division, Amravati and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri N.A. Gawande, Advocate for the petitioner.
Shri V.P. Maldhure, A.G.P. for the respondents.

CORAM : Z.A. HAQ, J.

DATE : 11.2.2019.

Heard.

The petitioner got elected as member of Grampanchayat in the elections held on 6th August, 2015 from seat reserved for scheduled caste candidate. As per Section 10-1A of the Maharashtra Village Panchayats Act, 1958 (for short "the Act of 1958"), the petitioner was required to submit caste validity certificate within six months from the date of election. The petitioner has not been able to obtain the caste validity certificate till date. The petitioner continues in office in view of interim order granted by this Court on 19th March, 2018. This Court granted interim order as the challenge to the judgment given by the Full Bench in the case of *Anant H. Ulahalkar & another V/s. Chief Election Commissioner & others* reported in **2017(1) Mh.L.J.431** was under consideration of the Hon'ble Supreme Court. Now the judgment given by Full Bench of this Court in the case of *Anant H. Ulahalkar & another V/s. Chief Election*

Commissioner & others (supra) is maintained by the Hon'ble Supreme Court and it is held that the provisions of Section 10-1A of the Act of 1958 are mandatory.

In view of the above, the challenges raised in the petition do not require any consideration. The writ petition is **dismissed**. No costs.

JUDGE

Tambaskar.