

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 7768/2019

(DEVIDAS ARJUN SABNE **VERSUS** THE COLLECTOR, CHANDRAPUR & OTHERS)

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

Court's or Judge's orders

Shri P. Thakre, counsel for petitioner.
 Shri S.B. Bissa, A.G.P. for R-1 & 2.

CORAM : A.S. CHANDURKAR, J.

DATE : NOVEMBER 26, 2019.

Heard Shri P. Thakre, learned counsel for the petitioner and Shri S.B. Bissa, learned Assistant Government Pleader for the respondent nos.1 and 2.

The challenge raised is to the order dated 24.10.2019 passed by the respondent no.1 cancelling the membership of the petitioner as Member of the Gram Panchayat under the provisions of Section 10-1A of the Maharashtra Village Panchayats Act, 1958.

It is not in dispute that the petitioner who contested the elections from a seat reserved for Scheduled Castes did not submit his validity certificate. The legal position with regard to requirement of a validity certificate while filling in the nomination form has been held to be mandatory by the full Bench of this Court in *Anant H. Ulahalkar & Another Versus chief Election Commissioner & Others* [2017 (1) Mh.L.J. 431]. That judgment has been affirmed by the Hon'ble Supreme Court in Special Leave Petition (Civil) No.29874-75 of 2016. It is undisputed that the elections were held in July-2016 and the Collector has rightly considered the mandatory nature of the aforesaid provisions.

In view thereof, there is no reason to interfere in writ jurisdiction. The writ petition is therefore dismissed with no order as to costs.

JUDGE

APTE