

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.3671 OF 2020

DURGA BHARAT KATKHADE DURGA BABASAHEB SHINDE
VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

WITH

WRIT PETITION NO.3672 OF 2020

DATTATRYA SONAJI GADE AND ANOTHER
VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

Mr.A.D.Aghav, Advocate for the petitioners.

Mr.A.S.Shinde and Mr.S.W.Munde, AGP for respondent Nos. 1 to 3.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 05/03/2020

PER COURT :

1. Both these petitioners are aggrieved by the common order delivered by the District Collector, Beed dated 28/01/2020 vide which 84 candidates have been disqualified under Section 10(1)(A) of the Maharashtra Village Panchayat Act for having failed in submitting their caste validity certificates. Grievance is that both these petitioners had tendered their caste validity certificates on 06/12/2018 and 30/10/2018, respectively and were covered by Ordinance XXI of 2018 dated 11/10/2018 and were not granted an

opportunity of hearing.

2. The learned AGP has attempted to support the impugned order of disqualification. He is, however, unable to make a statement against the record which indicates the dates on which the petitioners have tendered their caste validity certificates.

3. Considering the above, I find that the impugned common order to the extent of these two petitioners, cannot be sustained and therefore, both these petitions are allowed. The impugned orders dated 28/01/2020, to the extent of these petitioners, stand quashed and set aside.

(Ravindra V.Ghuge, J.)