

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION [STAMP] NO.10787 OF 2020

Yogiraj Pralhad Sonwane ..Petitioner

Vs.

The State of Maharashtra
and ors. ..Respondents

Mr.B.S.Shinde, Advocate for petitioner
Mr.A.S.Shinde, AGP for respondent nos.1 to 4

**CORAM : S.V. GANGAPURWALA
AND
R.G. AVACHAT, JJ.
DATE : JUNE 19, 2020**

ORDER (*Per S.V.Gangapurwala, J.*) :-

Heard Mr.Shinde, learned Counsel for the
petitioner.

2. Mr.Shinde, learned Counsel for the petitioner,
submits that initially, disqualification proceeding was
initiated against the petitioner as a Member of the
Gram Panchayat. This Court, under order dated

24.02.2020 in Writ Petition No.3132 of 2020, stayed the order disqualifying the petitioner as a Member of the Gram Panchayat. According to learned Counsel, as stay is already granted by this Court to the disqualification of the petitioner as Member of Gram Panchayat, the authority could not have sat over the order passed by this Court.

3. We have also heard learned AGP appearing for respondent nos.1 to 4.

4. This Court, under order dated 24.02.2020 in Writ Petition No.3132 of 2020, stayed the order passed by the authority, disqualifying the petitioner as Member of the Gram Panchayat, on the premise and contention of the petitioner that he was elected as a Member of the Gram Panchayat from General Category and not from reserved category.

5. It appears that the petitioner contested the election for the post of Sarpanch from reserved category and was elected as Sarpanch in the year 2018

as a reserved category candidate. The validation certificate, admittedly, has not yet been submitted by the petitioner. The period, as mentioned under Section 10-1A of the Maharashtra Village Panchayats Act and the relevant Government Resolutions has come to an end. Disqualification of the petitioner for non-submission of the validation certificate within the stipulated period would be axiomatic.

6. In the light of the above, no case is made out to entertain the petition. The Writ Petition stands dismissed. No costs.

7. In case the petitioner has filed an application for getting caste certificate in proper form, the same shall be decided by the authority within four weeks from today.

[R.G. AVACHAT, J.]

[S.V. GANGAPURWALA , J.]

kbp