

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR**

**Writ Petition No.1804 of 2017**

Arun s/o Vishnu Nayak  
 vs.  
 The Collector, Gadchiroli & another

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Office notes, Office Memoranda of  
 Coram, appearances, Court's orders  
 or directions and Registrar's orders.

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Court's or Judge's Orders

Shri Tejas Deshpande, Advocate for the Petitioner.  
 Ms. Shamsi Haider, A.G.P. for Respondent No.1.  
 Shri D.M. Kale, Advocate for Respondent No.2.

**CORAM : Z.A. HAQ & S.M. MODAK, JJ.**  
**DATE : 7<sup>th</sup> JANUARY, 2020.**

Heard.

02] The membership of the petitioner as Gram Panchayat Member came to be terminated as the petitioner failed to submit the caste validity certificate within time as prescribed by Section 9-A of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965. The contention of the petitioner is that the delay in submitting the caste validity certificate was not due to any fault of the petitioner, but was because of the delay on the part of the Scrutiny Committee in issuing the caste validity certificate.

03] The learned A.G.P. and the learned Advocate for respondent No.2 pointed out the

judgment delivered by the Hon'ble Supreme Court in the case of **Shankar s/o Raghunath Devre (Patil) vs. State of Maharashtra & others** reported in **(2019) 3 SCC 220**, in which it is held that the provisions of Section 9-A of the Act of 1965 are mandatory.

04] The learned Advocate for the petitioner has not been able to controvert the legal position. Hence, in view of the proposition of law laid down in the above referred judgment, there is no scope for any interference in the matter.

05] The writ petition is dismissed. No costs.

**JUDGE**

**JUDGE**

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