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

937 WRIT PETITION NO.37 OF 2021

**KISHOR HOUSIRAM BRAHMANE  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS**

...

Mr. S.S. Thombre, Advocate for the petitioner.

Mr. S.B. Pulkundwar, A.G.P. for respondent Nos. 1, 3 and 4.

Mr. A.B. Kadethankar, Standing Counsel for resp. Nos. 2 & 5.

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**CORAM : RAVINDRA V. GHUGE, J.  
(Vacation Court)**

**DATE : 02<sup>nd</sup> January 2021**

**PER COURT:**

1. The only reason for rejecting the nomination form of the petitioner is that though he has submitted his caste validity certificate, a copy of the caste certificate is not tendered.

2. I find that the Returning Officer has resorted to a pedantic approach. When the caste validity certificate is tendered, it clearly indicates a particular caste from a particular category, which claim of the petitioner is validated. I do not see any reason for the Returning Officer to reject the nomination form in the light of Rule 11 (2-A) of the Bombay Village Panchayat Election Rules, 1959.

(2)

3. This petition, is therefore, allowed. The impugned order stands quashed and set aside. Since the certificate of caste validity indicates the caste of the petitioner as being “Mahar – 37”, his nomination form stands validated.

**(RAVINDRA V. GHUGE, J.)**

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