

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

908 WRIT PETITION NO.5254 OF 2022

**RAHUL SURESH LANDGE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

.....
Mr. S. D. Tekwad, Advocate for the petitioner
Mr. A. R. Kale, AGP for respondent/State
.....

**CORAM : RAVINDRA V. GHUGE
AND
ANIL L. PANSARE, JJ.**

DATE : JUNE 21ST, 2022

PER COURT : -

1. The petitioner has put forth prayer clause 'B' and 'C' as under : -

“B] By issuing writ of mandamus or any other appropriate writ, order or direction, the respondent No. 2 Scrutiny Committee be directed to decide the Tribe Claim of petitioner as early as possible preferably within 15 days and for that purpose necessary directions be issued.

C] Pending hearing and final disposal of this writ petition, the respondent No. be directed not to take any adverse action against petitioner for non submission on validity certificate and for that purpose necessary directions be issued.”

2. The learned AGP causes an appearance on behalf of all the respondents.

3. The petitioner was elected as a member of the Shiradshahapur Grampanchayat from the Scheduled Tribe category, on 11.10.2017. Till today, he has not submitted his validity certificate as the claim is pending and there are no proceedings against him for his invalidation, despite the judgment delivered by the Hon'ble Apex Court in the case of Shankar s/o. Raghunath Devre (Patil) Versus State of Maharashtra and Others reported in (2019) 3 SCC 220 and by the Full Bench of this Court in the case of Anant H. Ulahalkar and another Versus Chief Election Commissioner and others reported in [2017 (1) Mh.L.J. 431].

4. We find from the record that the Principal of the Junior College in which the petitioner was taking education submitted his proposal on 26.03.2011 for validation. The committee received the same on 07.04.2011.

5. In view of the above, we are not inclined to grant any protection to the petitioner. Nevertheless, this petition is **disposed off**

with a direction to respondent no. 2 - Committee to give priority to the proceedings of the present petitioner and conclude the same as expeditiously as possible and in any case on or before 15.10.2022. If the petitioner does not cooperate or seeks adjournment on unreasonable or trivial ground, the committee would be at liberty to proceed to the next stage in the matter.

[ANIL L. PANSARE]
JUDGE

[RAVINDRA V. GHUGE]
JUDGE