

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

920 WRIT PETITION NO.8952 OF 2022

ANITA PUNJAJI GATADE ALIAS ANUSAYA RAJARAM HARNE
VERSUS
THE DISTRICT COLLECTOR HINGOLI AND OTHERS

...
Advocate for Petitioner : Mr. M. S. Shaikh
AGP for Respondents-State :Mr. S. G. Sangle
...

**CORAM : RAVINDRA V. GHUGE
AND
ARUN R. PEDNEKER, JJ.**

DATE : 30th August, 2022

PER COURT :

1. We have considered the submissions of the learned Advocate for the petitioner and the learned AGP on behalf of the State.
2. The petitioner was elected on 13/01/2021 in the elections of Grampanchayat Pimpalkhute, Taluka and District Hingoli. The said seat was reserved for the 'OBC' Category. Since her claim of belonging to the 'Kunbi' caste was invalidated by the Competent Committee, she was disqualified by the order of the District Collector, dated 13/06/2022, under Section 10 (1-A), wrongly mentioned as Section 14 (1) (j) of the Maharashtra Village Panchayat Act, in the

order of the District Collector.

3. The petitioner submits that her claim of belonging to the 'Kunbi (OBC)' has been accepted by the learned Division Bench of this Court (**Coram: A. S. Chandurkar and Urmila Joshi-Phalke, JJ.**) vide Judgment dated 25/08/2022, delivered in **Writ Petition No.2618 of 2022**, at Nagpur. The petitioner is declared to be belonging to the 'Kunbi (OBC)' and the Committee is directed to issue a validity certificate. Therefore, the petitioner preferred this petition on 29/08/2021, in the light of the election scheduled today by the District Collector.

4. The learned AGP submits on instructions that the District Collector has cancelled the election meeting in the light of the claim of the petitioner having been validated. Hence, there would be no election as the seat occupied by the petitioner is not declared to be vacated.

5. The learned Advocate for the petitioner submits that this petition stands worked out and can be disposed off.

6. In view of the above, this petition is disposed off.

7. The pending appeal of the petitioner before the Additional Commissioner, would not survive and stands disposed off.

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)

vjg/-.