

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

WRIT PETITION NO. 7262 OF 2023

**Muktabai Kisan Talimkar,
Nee Muktabai Manik Markhele,
Age: 52, Occ: Member of
Village Panchyat Malegaon (Makta),
R/o: Malegaon (Makta), Tq. Deglur,
District : Nanded.**

...Petitioner

VERSUS

- 1. The learned Collector, Nanded.**
- 2. The Tahsildar, Deglur,
Tq. Deglur, District : Nanded.**
- 3. The Chief Election Commission,
Mumbai.**
- 4. Block Development Officer,
Panchyat Samiti, Deglur,
District : Nanded.**

...Respondents

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Advocates for the petitioner : Mr. S.V. Deshmukh,
AGP for the respondents/State : Mr.K.B. Jadhavar
Advocate for respondent No.3 : Mr.A.B. Kadethankar
Advocate for added respondent No.4 : Mr. S.B. Pulkundwar,

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CORAM : KISHORE C. SANT, J.

Date : 11.07.2023

PER COURT :-

1. Today, the learned Advocate for the petitioner submits that this petition is in respect of disqualification of the Member/Sarpanch of the Grampanchyat for non submission of her caste validity certificate. He submits that now the Government has passed an ordinance dated 10.07.2023, published in the Gazette dated 10.07.2023, extending time to

submit the caste validity certificate by one year from the date of passing of said ordinance. By virtue of the ordinance, now the person who is declared to be disqualified as Member/Sarpanch or any other position for non submission of his caste validity certificate is also covered by this ordinance. All the cases pending before the Tribunal or Court have been terminated and now no disqualification shall take effect, on the ground of non submission of caste validity certificate, if it is filed within the period stipulated by the ordinance.

2. This Court has gone through the said ordinance and finds that the post/position of such person who has failed to submit his caste validity certificate in time, has now been protected by this ordinance. This Court, therefore, finds that the purpose of the petition is served, therefore, the same can be disposed off in view of the ordinance and is disposed off.

3. Needless to say that the effect of orders passed by the authorities declaring the petitioner disqualified, its effect is, therefore, negated by this ordinance.

**(KISHORE C. SANT)
JUDGE**

mahajansb/