

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

WRIT PETITION NO.7319 OF 2023

**UJWALA SANJAY AHER UJWALA KARBHARI PAWAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
PRINCIPAL SECRETARY AND OTHERS**

...
Advocate for the Petitioner : Shri Pahilwan Gautam J.
AGP for Respondents 1 to 3/State : Shri V.M. Kagne
...

**CORAM : RAVINDRA V. GHUGE
&
Y. G. KHOBRADE, JJ.**

DATE :- 05th July, 2023

Per Court :-

1. We have heard the learned Advocate for the Petitioner and the learned AGP.
2. Considering the facts of this case, we are not required to write a detailed order. Suffice it to say that the Petitioner was elected to the Shivrai Gram Panchayat, Taluka Vaijapur, from the constituency which was reserved for the backward category candidate. While tendering the nomination form on 29.12.2020, the caste validity certificate of belonging to "Mali", Other Backward Class, dated 21.10.2016, was annexed

to the nomination form. The nomination form was scrutinized and accepted. Yet, the Petitioner has been disqualified by the impugned order dated 31.05.2023 on the ground that the caste validity certificate was not tendered before the cut off date 17.01.2023.

3. In view of the admitted position as above, **this Writ Petition is allowed**. The impugned order dated 31.05.2023 is quashed and set aside only to the extent of the Petitioner, thereby restoring her position as an elected member of the Village Panchayat.

kps

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)