



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

965 WRIT PETITION NO. 830 OF 2025

SUREKHA PRALHAD GAWANDE ALIAS
SUREKHA PURUSHOTTAM PALKAR

VERSUS

THE ADDITIONAL COMMISSIONER AND OTHERS

...

Advocate for the petitioner : Mr. Kumar Gaurav M. More
AGP for the respondent – State : Mr. S.V. Hange

...

**CORAM : MANGESH S. PATIL &
PRAFULLA S. KHUBALKAR, JJ.**

DATE : 17 JANUARY 2025

PER COURT :

Heard learned advocate for the petitioner and perused the papers. We have also heard the learned AGP.

2. The declaration of vacancy by Collector, in purported exercise of the powers under section 16 of the Maharashtra Village Panchayats Act, 1958 (**Act**) dated 12-09-2024, for failure of the petitioner to furnish certificate of validity before the cut-off date, as stipulated by section 10(1A) read with section 14(1)(k) of the Act, is the subject matter of challenge.

3. Admittedly, irrespective of the *bona fides* and the efforts of the petitioner, she could not get a certificate of validity and it is axiomatic that she has incurred the disqualification by operation of law.

No fault can be found much less illegality in the order passed by the Collector, declaring the vacancy.

4. Petition is without substance and is dismissed.

[PRAFULLA S. KHUBALKAR]
JUDGE

[MANGESH S. PATIL]
JUDGE

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