



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

WRIT PETITION NO. 2401 OF 2025

Satyabhama Narayan Zende

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Mr. Mahesh P. Kale, Advocate for the Petitioner.

Mr. P. P. Dawalkar, AGP for Respondents/State.

CORAM : KISHORE C. SANT, J.

DATED : 28th FEBRUARY, 2025.

P C. :-

. Heard learned advocate for the petitioner.

2. The petitioner challenges an order passed by the learned Collector, Beed dated 20.01.2025 holding the petitioner disqualified under Section 10-1A of the Maharashtra Village Panchayats Act. The petitioner was elected to the post of member of Grampanchayat from the seat reserved for other backward class of citizens. The petitioner was required to furnish the caste validity certificate within twelve (12) months from the date of her election, however, no such certificate was produced within twelve (12) months and before 09.01.2024 i.e. the date extended by temporary amendment Act 2020.

3. Now, it is the case of the petitioner that she had received the caste validity certificate on 29.02.2024 i.e. before the cut off date. However, due to inadvertence she could not submit it with the authorities. It is argued by the learned advocate for the petitioner that the petitioner has obtained validity certificate on proving that she belongs to other backward class (i.e. Warik). The aim of the Act is to provide reservation to a person belonging to a particular category. It is the social status of a person that is required to be seen. Mere non submission of the validity certificate should not be taken to deprive the petitioner of the post. The learned advocate thus submits that the order passed by the learned Collector is illegal.

4. The learned A.G.P. vehemently opposes the petition. He relies upon the judgment in the case of Sudhir Vilas Kalel and others Vs. Bapu Rajaram Kalel and others¹. He submits that, it is the duty of the person who contest the election, and if elected, to submit the caste validity certificate within time. The provision is held to be mandatory in the judgment relied upon by him. He thus prays that, no case is made out even to issue notice to respondents.

5. On hearing the parties and on going through the judgment in the case of Sudhir Vilas Kalel and others (*supra*), this Court finds that, no

¹ 2024 Live Law (SC) 99.

case is made out even to issue notice to respondents.

6. In view of the same, the writ petition stands dismissed. No order as to costs.

(KISHORE C. SANT, J.)

P.S.B.