



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

WRIT PETITION NO. 3458 OF 2025

Sheshabai Datta Rathod And Another .. Petitioners

Versus

The State Of Maharashtra
Through The Principal Secretary And Others .. Respondents

Mr. Shashikant E. Shekade, Advocate for the Petitioners.
Mr. K. B. Jadhavar, AGP for Respondent Nos. 1 to 3.

**AND
WRIT PETITION NO. 3474 OF 2025**

Shobhabai Damodar Pawar And Another .. Petitioners

Versus

The State Of Maharashtra
Through The Principal Secretary And Others .. Respondents

Mr. Shashikant E. Shekade, Advocate for the Petitioners.
Mr. K. B. Jadhavar, AGP for Respondent Nos. 1 to 3.

CORAM : KISHORE C. SANT, J.

DATED : 07th APRIL, 2025.

P C. :-

. Heard.

2. Since the facts are almost identical and since the impugned order is common, the petitions are taken up together for final disposal. The petitioners are elected as members of Grampanchayat from the seat reserved for persons belonging to other backward classes. The

petitioners in Writ Petition No. 3474/2025 are elected as members to Grampanchayat Acharya Takali, Taluka Parali Vaijnath, District Beed. The petitioners in Writ Petition No. 3458/2025 are elected as members to Grampanchayat Mamdapur Tanda, Taluka Parali Vaijnath, District Beed. They are elected in general elections held on 20.12.2022 and 23.12.2022 respectively. In view of Section 10-1A of the Maharashtra Village Panchayats Act (for short “the said Act”) the petitioners were required to submit their caste validity certificates within one year from the date of their election. The petitioners, however, could not get the caste validity certificates as on today and therefore, they are declared as disqualified by the learned Collector, Beed by order dated 31.01.2025. The petitioners are, therefore, before this Court.

3. The learned advocate for the petitioners vehemently submits that, the petitioners are belonging to other backward classes. They have sent the proposal for caste validity prior to filling up of the nomination form. Their caste claims are still pending before the committee. Now, the action is taken without there being any fault on the part of the petitioners. Getting the validity certificates is not in their hands. He thus submits that, the impugned order deserves to be quashed and set aside.

4. The learned A.G.P on the other hand submits that, Section 10-1A

of the said Act is a mandatory provision which requires a person to submit caste validity certificate within one year. The Government had even extended the time to furnish caste validity certificate till 09.07.2024. However, even within that period the petitioners failed to furnish the certificates. He submits that, this Court has already decided such matters by relying upon the judgment of the Hon'ble Apex Court in the case of Sudhir Vilas Kalel & Ors. Vs. Bapu Rajaram Kalel & Ors¹. He thus prays for rejection of the petitions. The affidavit in reply filed by the learned A.G.P is taken on record.

5. Considering the mandatory nature of Section 10-1A of the said Act this Court finds that, it was necessary for the petitioners to submit the caste validity certificates within time. The Hon'ble Apex Court in the case of Sudhir Vilas Kalel & Ors. (*supra*) has also held that, no relaxation can be given to any person in view of Section 10-1A of the said Act.

6. Considering the above, this Court does not find any merit in the petitions to issue notice to respondents. The writ petitions, therefore, stands dismissed. No order as to costs.

(KISHORE C. SANT, J.)

PS.B.

¹ 2024 LiveLaw (SC) 99.