



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

WRIT PETITION NO. 4492 OF 2025

Dhurpata Nivruti Ingale

.. Petitioner

Versus

The State Of Maharashtra
Through Its Principal Secretary And Others

.. Respondents

Mr. S. G. Jadhavar, Advocate for the Petitioner.
Mr. K. N. Lokhande, AGP for Respondent Nos. 1 to 3.
Mr. S. B. Pulkundwar, Advocate for Respondent No. 4.

CORAM : KISHORE C. SANT, J.

DATED : 07th APRIL, 2025.

P C. :-

. Heard the parties.

2. The petitioner is elected as member of Grampanchayat Andharwadi, Taluka Hingoli, District Hingoli from the seat reserved for persons belonging to Scheduled Tribe category. She is elected in general elections held on 15.01.2021. In view of Section 10-1A of the Maharashtra Village Panchayats Act (for short "the said Act") the petitioner was required to submit her caste validity certificate within one year from the date of election. The petitioner, however, could not get the caste validity certificate as on today and therefore, she is declared as disqualified by the learned Collector, Hingoli by order dated

31.12.2024. The petitioner is, therefore, before this Court.

3. The learned advocate for the petitioner vehemently submits that, the petitioner belongs to Scheduled Tribe category. She has sent the proposal for caste validity certificate prior to filling up of the nomination form. Her caste claim is still pending before the committee. Now, the action is taken without there being any fault on the part of the petitioner. Getting the certificate is not in her 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 petitioner failed to furnish the certificate. 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 & Ors**¹. He thus prays for rejection of the petition.

5. Considering the mandatory nature of Section 10-1A of the said Act this Court finds that, it was necessary for the petitioner to submit

¹ 2024 LiveLaw (SC) 99.

the caste validity certificate 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 petition to issue notice to respondents. The writ petition, therefore, stands dismissed. No order as to costs.

(KISHORE C. SANT, J.)

PS.B.