



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

57 WRIT PETITION NO. 4361 OF 2025

CHOURE DIPALI ASHRUBA ALIAS DIPALI SHIVDAS SANGALE

VERSUS

THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

Mr.M.K. Bhosale, Advocate for the petitioner.

Mr.K.S. Patil, AGP for the respondent-State.

CORAM : KISHORE C. SANT, J.

DATE : 03.04.2025

PC :-

01. Heard learned Advocate for the petitioner and learned AGP for the respondent Nos. 1 to 4.

02. The petitioner came to be elected as a Member of Grampanchayat, Dhavjyachivadi, Tal. & Dist. Beed on 25.12.2022, from a seat reserved for VJNT, as she belongs to Vanjari caste. However, the petitioner could not submit Caste Validity Certificate within time and therefore the learned Collector, Beed by order dated 31.01.2025 declared the petitioner disqualified under section 10-1A of the Maharashtra Village Panchayats Act.

03. Learned Advocate for the petitioner submits that the

petitioner received validity certificate on 11.10.2024. However, the petitioner could not submit it within time. She came to know that she has to submit certificate only after receipt of notice from the learned Collector. It is argued that the petitioner cannot be blamed for not filing the certificate within time, when she was having certificate in her hand on 11.10.2024. Same ought to have been considered by the learned Collector. The learned Collector has failed to consider the above aspects. Thus, the petitioner prays for quashing and setting aside the impugned order.

04. Learned AGP vehemently opposes the petition. He submits that the requirement of Section 10-1A of the Maharashtra Village Panchayats Act is that the person should actually submit Caste Validity Certificate along with nomination papers and concerned person has applied prior to filing nomination form. The petitioner has filed an undertaking that such certificate will be produced within one year from the date of election. In the present case, though such affidavit was filed, the certificate is not produced within stipulated period. The Government had even extended time till 09.07.2024 and still the petitioner could not produce the validity certificate. He, thus, prays for rejection of the petition.

05. Having heard the parties, this Court finds that no case is made out to allow the petition. This Court has already taken a view that it is necessary to submit validity certificate. The Hon'ble Apex Court in the case of **Sudhir Vilas Kalel & Ors. Vs. Bapu Rajaram Kalel & Ors., 2024 LiveLaw (SC) 99**, has clearly held that no relaxation can be given when the statute provides certain limitation in the Act.

06. Considering the above, this Court is not inclined to entertain this petition and the same deserves to be dismissed. Hence, this Writ Petition is dismissed with no order as to costs.

[KISHORE C. SANT, J.]