



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

WRIT PETITION NO. 5540 OF 2025

Harischandra Shripati Shahir

.. Petitioner

Versus

The State Of Maharashtra
Through Its District Collector And Another

.. Respondents

Mr. Swapnil A. Deshmukh, Advocate h/f Mr. V. S. Undre, Advocate for
the Petitioner.

Mr. P. D. Patil, AGP for Respondent Nos. 1 and 2.

CORAM : KISHORE C. SANT, J.

DATED : 30th APRIL, 2025.

P C. :-

. Heard learned advocate for the petitioner and learned A.G.P for respondents.

2. This case is of declaration of the petitioner as disqualified to be member of Grampanchayat on the ground of non production of the caste validity certificate within one year from the date of election as prescribed under Section 10-1A of the Maharashtra Village Panchayats Act (for short “the said Act”). It is the case of the petitioner that, the learned Collector, Latur by order dated 13.03.2025 held the petitioner disqualified for non producing the validity certificate. It is further case of the petitioner that, the petitioner belongs to Scheduled Caste

category.

3. The learned advocate for the petitioner submits that, it was necessary for the learned Collector to issue notice before passing the impugned order. He further submits that, what is material is the caste status of the petitioner and not as to whether he was possessing the said certificate. He thus prays for quashing and setting aside the impugned order passed by the learned Collector.

4. The learned A.G.P. vehemently opposes the petition. He submits that, the provision of Section 10-1A of the said Act is very specific. No relaxation is permissible. Time was already extended to submit the caste validity certificate by the Government. Time was extended till 09.07.2024. In the present case, the petitioner failed to submit validity certificate. The petitioner do not possess the validity certificate even today. He relies upon the judgment in the case of **Sudhir Vilas Kalel & Ors. Vs. Bapu Rajaram Kalel & Ors**¹. He prays for dismissal of the writ petition.

5. This Court has already decided the matters of similar nature relying upon the judgment in the case of **Sudhir Vilas Kalel & Ors.** (*supra*). It is trite law that, no relaxation is permissible under Section 10-1A of the said Act. The case of the petitioner, therefore, cannot be

¹ 2024 LiveLaw (SC) 99

accepted. Considering the provision of Section 10-1A of the said Act, this Court does not find any fault with the impugned order passed by the learned Collector. There is no merit in the writ petition.

6. The writ petition, therefore, deserves to be dismissed and the same is hereby dismissed. No order as to costs.

(KISHORE C. SANT, J.)

PS.B.