



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

59 WRIT PETITION NO. 4453 OF 2025

SHASHIKANT RAMRAO VHANALE AND ANOTHER
VERSUS

THE STATE OF MAHARASHTRA THROUGH THE SECRETARY AND OTHERS

Mr.T.M. Venjane, Advocate for the petitioners.

Mr.K.N. Lokhande, AGP for the respondent-State.

CORAM : KISHORE C. SANT, J.
DATE : 03.04.2025

PC :-

01. Heard learned Advocate for the petitioners and learned AGP for the respondents.

02. The petitioners came to be elected as Members of Grampanchayat, Gugalgaon, Tal. Omerga, Dist. Osmanabad in 2021, from seats reserved for Other Backward Class and Scheduled Caste respectively. However, the petitioners could not submit Caste Validity Certificate within time and therefore the learned Collector, Osmanabad by order dated 18.03.2025 declared the petitioners disqualified under section 10-1A of the Maharashtra Village Panchayats Act.

03. Learned Advocate for the petitioners submits that the

petitioners received validity certificate on 17.02.2025. However, the petitioners could not submit it within time. It is argued that the petitioners cannot be blamed for not filing the certificate within time, when they were having certificate in their hand on 17.02.2025. Same ought to have been considered by the learned Collector. The learned Collector has failed to consider the above aspects. Thus, the petitioners pray 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.]