



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

WRIT PETITION NO. 4608 OF 2025

Usha Babruwan Maske

.. Petitioner

Versus

The State Of Maharashtra

Through The Principal Secretary And Others

.. Respondents

Mr. Shaikh Altamash Abdul Latif, Advocate for the Petitioner.

Mr. K. B. Jadhavar, AGP for Respondent Nos. 1 to 3.

AND

WRIT PETITION NO. 4639 OF 2025

Shivganga Bankat Bhandare

.. Petitioner

Versus

The State Of Maharashtra

Through The Principal Secretary And Others

.. Respondents

Mr. Shaikh Altamash Abdul Latif, Advocate for the Petitioner.

Mr. P. P. Dawalkar, 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 Scheduled Caste. The petitioner in

Writ Petition No. 4608/2025 is elected as member to Grampanchayat Hiperga Tad, Taluka Tuljapur, District Dharashiv. The petitioner in Writ Petition No. 4639/2025 is elected as member to Grampanchayat Murta, Taluka Tuljapur, District Dharashiv. They are elected in general elections held on 15.01.2021 and 18.12.2022 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 and therefore, they are declared as disqualified by the learned Collector, Dharashiv by order dated 12.03.2025. The petitioners are, therefore, before this Court.

3. The learned advocate for the petitioners vehemently submits that, the petitioners are belonging to Scheduled Caste. They have sent the proposal for caste validity issue 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 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 & Ors**¹. He thus prays for rejection of the petitions.

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, stand dismissed. No order as to costs.

(KISHORE C. SANT, J.)

PS.B.

¹ 2024 LiveLaw (SC) 99.