



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

923 WRIT PETITION NO. 6331 OF 2025

SUMAN DHANRAJ SUBHEDAR ALIAS SUMAN SHIVAJIRAO PATIL
VERSUS

THE COLLECTOR DHARASHIV AND ANOTHER

Mr. D.A. Madake, Advocate for the petitioner.
Mr. P.P. Dawalkar, AGP for the respondent-State.

CORAM : KISHORE C. SANT, J.
DATE : 08.05.2025

PC :-

01. Heard learned Advocate for the petitioner, learned AGP for the respondent No.1. The petitioner was elected as a Member of Grampanchayat, Peth Sangavi, Tq. Umarga, Dist. Dharashiv, from a seat reserved for persons belonging to Nomadic Tribes (C) category. She also came to be elected as Sarpanch by the members. Since she had contested election and become Sarpanch as a person belonging to Nomadic Tribe, she was required to submit Caste Validity Certificate within a period of one year from the date of election, in view of section 10-1A of the Maharashtra Village Panchayats Act. The petitioner, however, failed to submit such certificate. The learned Collector, Dharashiv, therefore, declared the petitioner disqualified by order dated 18.03.2025. The petitioner is, therefore, before this Court.

02. The learned Advocate for the petitioner vehemently submits that the learned Collector has passed order without issuing any notice. The petitioner is belonging to VNJT(C) category. There is also validity

certificate now issued in her favour dated 21.02.2025. The learned Collector, thus, without verifying the status of the petitioner on the date of passing the order has passed order. He, therefore, prays for setting aside the impugned order.

03. The learned AGP submits that in view of the judgment of the Hon'ble Supreme Court in the case of **Sudhir Vilas Kalel & Ors. Vs. Bapu Rajaram Kalel & Ors., 2024 LiveLaw (SC) 99**, no relaxation can be given. The petitioner has to show that she had submitted certificate within one year from the date of her nomination and prays for rejection of the petition.

04. After hearing the parties, it is seen that admittedly the petitioner got elected in the year 2020. No validity certificate was produced within one year from the date of election. The Hon'ble Apex Court in the case of **Sudhir Kalel [supra]**, clearly held that no relaxation can be given in such matters.

05. Considering all the above, this Court finds that there is no merit in the petition. The Writ Petition is dismissed with no order as to costs.

[KISHORE C. SANT, J.]