

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

927 WRIT PETITION NO. 6938 OF 2022

KIRANBAI WAGHAMBAR KAMBLE

VERSUS

THE ADDITIONAL DIVISIONAL COMMISSIONER AND ANOTHER

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Advocate for the Petitioner : Mr. Pawade Nilkanth R
AGP for Respondent No.1/State : Mr. R.B.Dhaware
Advocate for Respondent No. 2 : Mr.Barde Parag Vijay

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CORAM : SIDDHESHWAR S. THOMBRE, J.

DATE : 05.12.2025

PER COURT :

1. Heard the learned Counsel for the petitioner.
2. By way of the present petition, the petitioner assails the order dated 08.03.2022 passed by the Additional Divisional Commissioner, Aurangabad in case No. 2018/DB/Appeal No./1/CR25.
3. Learned Counsel for the petitioner submits that the petitioner is having three children and the 3rd child Prithviraj was born on 24.04.2001 and therefore, the petitioner has not incurred disqualification if the cut of date -12.09.2001 is taken into consideration. He further submits the petitioner has filed an application before the Education Officer for correction of the birth record of children Payal and Prithviraj and the same has been corrected. But the learned Additional Divisional Commissioner, Aurangabad has not considered the same.
4. I have gone through the order passed by the Additional Divisional Commissioner, Aurangabad and the record placed before me. It reveals that the actual date of birth of the 3rd child Prithviraj is

recorded as 14.04.2002 and second child Payal is recorded as 19.10.2000. It appears that the petitioner in collusion with the authorities has corrected the birth records only with a view to enable her to hold the post of Panchyat Samiti Member and avoided the disqualification on the ground of having 3rd child.

5. Earlier the record of date of birth of Prithviraj was changed prior to the election and subsequently when the petitioner found that there was short period shown between the date of birth of Prithviraj and Payal, petitioner again filed an application before the authority for correction of birth dates. Entire record was considered by the Additional Commissioner and after that the order was passed. It did not notice any illegality in the order, hence petition is liable to be dismissed.

6. Therefore, I am not inclined to entertain the Writ Petition.

7. In view thereof, the Writ Petition is dismissed. No order as to the costs

(SIDDHESHWAR S. THOMBRE, J.)

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