



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.528/2025

Shital Nitin Goswami .VS. The Additional Collector, Nagpur and Ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. P. S. Tiwari, Advocate for petitioner.

Ms P. C. Bawankule, A.G.P. for respondent Nos.1 and 2.

CORAM : ANIL L. PANSARE, J.

DATE : JUNE 23, 2025

On 29.01.2025, following order was passed.

"Heard.

Learned counsel for the petitioner submits that the petitioner has been disqualified under Section 10(1A) of the Maharashtra Village Panchayat Act, 1958 for not submitting caste validity certificate. He further submits that the caste validity certificate was in fact furnished on 18-8-2021 whereas the petitioner was elected in January, 2021.

On the strength of submissions so made, issue notice, returnable in four weeks.

Learned Assistant Government Pleader waives notice for respondent nos. 1 and 2.

In the meantime, there shall be stay to the order dated 4-12-2024 passed by respondent no. 1 – Additional Collector, Nagpur."

2. Thus, the case of the petitioner was that he had furnished caste validity certificate on 18.08.2021, which is within stipulated time.

3. Learned A.G.P. has filed reply stating therein that wrong report was submitted by Tahsildar vide communication dated 22.01.2025, informing respondent No.1 that he had inadvertently submitted wrong report and further certified that the petitioner has furnished caste validity certificate on 18.08.2021 to his office.

4. It appears from the reply that respondent No.1 has issued show cause notice to respondent No.2 for necessary action in terms of provisions of the Maharashtra Civil Services (Discipline and Appeal) Rules, 1981.

5. Thus, it appears that on incorrect report of respondent No.2- Tahsildar, order impugned came to be passed. The respondent should be careful in dealing with the matters, particularly disqualification of the people who enjoy people's mandate.

6. With the above observation, the petition is allowed. Impugned order dated 04.12.2024, passed by respondent No.1 in Case No.82/MVP 10(1-A)/2022-2023, is quashed and set aside.

7. The writ petition is disposed of in the above terms. No order as to costs.

(Anil L. Pansare, J.)