

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

WRIT PETITION NO. 7509 OF 2017

**RANJANABAI PANDURANG BURKULE
VERSUS
THE STATE OF MAHARASHTRA AND ORS**

...
**Mr.S.S.Londhe,Adv. For petitioner
AGP for Respondents: Mrs.A.V.Gondhalekar**

...

**CORAM : S.C.DHARMADHIKARI &
MANGESH S. PATIL,JJ.**

DATE : 07/06/2017

PER COURT :-

Mentioned out of turn. This petition was taken up though it was not listed on today's board purely on account of the urgency.

2] The petitioner apprehends that by virtue of a notice issued copy of which is at page 51 of the paper book in the event the petitioner appears before the Collector, Hingoli on 9th June, 2017 at 4 p.m., he shall immediately pass order disqualifying the petitioner in terms of amended Section 10-1A of the Maharashtra Village Panchayats Act particularly on failure of the petitioner to abide by the undertaking.

3] The petitioner apprehends that according to the Collector, if she fails to produce the validity certificate within a period of six months from the date on which she is declared elected then the election shall be deemed to have been terminated retrospectively

and the disqualification also would extend to being a member of the Village Panchayat.

4] Bearing in mind, the harshness and the rigor of this proviso and the controversy still at large before Hon'ble Supreme Court we pass following order :

A] Issue notice to the respondents returnable on 5th July, 2017. Learned AGP accepts and waives service for respondents 1,3 and 4. Liberty to serve privately also granted.

B] In the meanwhile, the Collector, Hingoli shall hear the parties pursuant to this notice but will not pass final orders until this Petition is taken up for admission.

(MANGESH S. PATIL,J.) (S.C.DHARMADHIKARI,J.)

umg/