

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO. 2753 OF 2015

SANDIP NAMDEORAO GHUGARE  
VERSUS  
STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Boinwad Omgashad B.  
AGP for Respondent No.1: Mrs. A.V.Gondhalekar  
Advocate for Respondents 2 to 4: Mr. S.T. Shelke

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**CORAM : R. M. BORDE AND  
V. K. JADHAV, JJ.**

**DATED : 30<sup>th</sup> APRIL, 2015**

**P.C. :-**

1. The grievance of the petitioner is that during last preceding terms, three seats were prescribed for S.C. category whereas during the present elections, which are proposed to be held in the year 2015 only two seats are earmarked for the said category. According to the petitioner, the census figure do not reflect the correct position, as the population of S.C. category is more than that what is reflected in the census data. The contentions raised by the petitioner does not deserves to be considered since if at all he has any grievance in respect of census figure, he has to approach the appropriate authority to get the census figure corrected. It is obligatory as the Election Commission to prescribe reservation in accordance with

relevant Rules and the Rules mandate consideration of census data for consideration of reserved quota.

2. The counsel for the State Election Commission states that the ratio of population of S.C. category in the village comes to 2.41 and as such as per the provisions of Section 10 of the Act, only two seats would be admissible. We do not find any ground to cause interference in the order in respect of prescription of seats for reserved category. Writ petition is devoid of substance and hence stands rejected.

**( V. K. JADHAV, J.)**

**( R. M. BORDE, J. )**

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