

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

916 WRIT PETITION NO. 4692 OF 2015

MIRZA RIZWAN BEG MIRZA HASAN BEG
VERSUS
STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Patel Shaikh Ashpak
Taher

Mr. SG Karlekar, AGP for Respondents:1, 3 to 5;
Mr. Shelke Shivaji T., Adv. For R/2.

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**CORAM : R.M.BORDE &
P.R.BORA,JJ.**

DATE : 16th JULY, 2015.

PER COURT :

1) Heard. The petitioner is objecting to prescription of reservation of two seats in the village panchayat for OBC category. According to the petitioner, there is no population of persons belonging to OBC category in the entire village and as such, the prescription of seats for OBC category is irrational and arbitrary.

2) Learned Counsel appearing for State Election Commission has invited our attention to Section 10(2) (c) of the Bombay Village Panchayats Act, 1958, which provides for reservation of seat for persons belonging to category of backward classes of citizens

to the extent of 27% of the total number of seats to be filled in by election in a panchayat. In view of the mandate of law, the grievances raised by the petitioner in the instant petition, do not deserve favourable consideration. Apart from this, the learned Government Pleader appearing for the State, on instructions, informs that the population of persons belonging to OBC category is seven. No interference is called for in extra-ordinary writ jurisdiction under Article 226 of the Constitution of India. The petition stands dismissed.

(P.R.BORA)
JUDGE

(R.M.BORDE)
JUDGE

bdv/