

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

WRIT PETITION NO, 5804 /2014
(Shri Milind s/o Shankarraio Nichal and another vs. The State of
Maharashtra and others)

.....

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

Court's or Judge's order

.....

Mr. V.G. Bhamburkar, Adv. for petitioners
Mr. K.L.Dharmadhikari, A.G.P. for respondents 1 to 4
Respondent no.5 served.

CORAM : SMT.VASANTI A. NAIK &
A.M.BADAR, JJ.

DATED : 23rd March, 2015.

Heard.

By this petition, the petitioners challenge the action of the respondents in reserving one seat in favour of Scheduled Tribes (woman) category.

According to the petitioners who claim to be the voters in the Gram Panchayat, Kalgawhan, one seat in Ward No.1 could not have been reserved in favour of Scheduled Tribes (woman). It is stated that as per the report of the *Patwari*, there were only three persons belonging to Scheduled Tribes in the village; whereas in Ward No.1 there is only one voter in the S.T. Category.

We however find, on a reading of the Writ Petition and the affidavit-in-reply filed on behalf of the

respondents, that according to the report which is relied on, while granting reservation for S.T. (woman), the Scheduled Tribes population of 113, and the total population of the village of 1408 was considered. We do not find any reason to interfere with the decision of reserving one seat for S.T.(woman) by making a reference to the contradictory report, which is subsequently furnished by the *Patwari*.

In the result, the Writ Petition fails and is dismissed, with no order as to costs.

JUDGE

JUDGE

satase