

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

933 WRIT PETITION NO. 5991 OF 2016

RUKHMINI BABASAHEB KAVCHAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Vyawahare Arun R.
AGP for Respondents State: Mr. P. S. Patil

**CORAM : R. M. BORDE &
K. L. WADANE, JJ.**

DATE : 10th June, 2016

ORDER:

1. Heard learned counsel for the respective parties.

2. The petitioner is objecting to the reservation of post of Sarpanch in favour of Scheduled Caste category.

3. It is not a matter of dispute that the woman Sarpanch belonging to Scheduled Caste category has passed away and on her demise, for remainder tenure, election for the post of Sarpanch is declared. It is also not disputed that for a tenure of five years commencing from the year 2012, the post of Sarpanch is earmarked for woman candidate belonging to SC category. However, since the demise of the woman candidate belonging to SC category, no other woman candidate from

the aforesaid category is available. As such the collector has declared the post of Sarpanch for remainder of tenure in favour of candidate belonging to SC category. Decision taken by the collector is in consonance with Sub Rule 4-A of Rule 2-A of the Bombay Village Panchayat (Sarpanch and Upsarpanch) Election Rules, 1964.

4. In view of the above, no interference is called for. Writ petition is devoid of substance. Hence stand disposed of.

(K. L. WADANE, J.)

(R. M. BORDE, J.)

JPC