

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.12329 of 2016

Imtyaj Ismail Shaikh

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

...

Mr. S.S. Punde for the Petitioner.

Mrs. M.P. Thakur, AGP for Respondent -State.

Mr. B.D. Joshi for Respondent No.5.

Mr. S.B. Shetye for Respondent No.2.

**CORAM : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.**

DATED : 24th OCTOBER, 2016.

P. C. :

Not on board. Taken on board on being mentioned on the ground of urgency.

2. Heard the learned counsel appearing for the respective parties.

3. By the impugned notification the post of the President of Palghar Municipal Council is reserved for General Category (open) for the period of two and half years between October - 2016 to April - 2019. It is not in dispute that for the first term of two and half years

the post was reserved for General Category (Female) post of the President of Palghar Municipal Council was also reserved for General Category (Female). Furthermore, even in the previous term the period from 2009 to 2015, the post of the President of Palghar Municipal Council was also reserved for General Category (Female). In terms of provisions of Rule 2(A) (B) the post of the President is required to be rotated. Since the post of the President at Palghar Municipal Council is continuously kept reserved for General Category (Female) by the impugned notification, same was de-reserved. We therefore, do not find any error in the impugned notification. The petition is without merit and same is dismissed.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)