

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

WRIT PETITION NO.10046 OF 2017

Vijay Jagannath Hinge
and others

.. Petitioner

Versus

The State of Maharashtra
and others

.. Respondents

Mr.V.D.Salunke, Advocate h/f Mr.Vikram R. Dhorde,
Advocate for the petitioner
Mr.S.B.Patil, AGP for the respondent/State
Mr.S.T.Shelke, Advocate for respondent No.2

**CORAM : R.M. BORDE &
S.M. GAVHANE, JJ.
DATED : 16.08.2017**

P.C. :-

. The petitioner is objecting to delimitation of Wards of village Ashwi (Bk), Tq. Sangamner, Dist. Ahmednagar for the purpose of elections to village Panchayat. The objection is raised by the petitioner in respect of delimitation of ward Nos.4 and 5, mainly on the ground that the demarcation of boundaries as have been specified under the Government Policy have not been observed. It is stated that some portion of the Ward is

divided by the roads and the boundaries of the Ward extend beyond the dividing road and as such decision of delimitation of ward is not in conformity with the guidelines issued by the State Election Commission. It is stated that area that has been included in ward Nos.4 and 5 was previously comprising of Ward Nos.1 and 3. It was impermissible for respondent No.2 to carve out the part of area out of ward Nos.1 and 3 and include the same in ward Nos. 4 and 5.

2. Learned counsel appearing for State Election Commission informs that the ward Nos. 4 and 5 are reserved for Scheduled Caste category and the area that has been attached to the aforesaid wards is predominantly populated by the Scheduled Caste population. It is informed that the Scheduled Caste population concentrated in adjoining area is to the extent of 44%. The concentration of the population belonging to the Backward Class category is also one of the criteria to be taken into account while forming the wards. We do not

find anything unreasonable or arbitrary in delimitation of wards at the instance of the respondents. The challenged raised in the instant petition does not deserve to be considered in exercise of extra ordinary jurisdiction under Article 226 of the Constitution of India. The petition being devoid of substance, stands disposed of.

[S.M. GAVHANE, J.]

[R.M. BORDE, J.]