

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11091 OF 2017

Amol s/o Kalyanrao Narwade

Petitioner

Versus

The State of Maharashtra
& others

Respondents

Mr. R.V Gore, advocate for petitioner.

Mr. S.G. Karlekar, A.G.P. for respondents 1 to 3.

Mr. S.T. Shelke, advocate for respondent no. 4.

CORAM : R.M.BORDE &

SMT. VIBHA KANKANWADI, JJ.

DATE : 13th SEPTEMBER, 2017

PER COURT:

1. Petitioner is objecting to prescription of reservation for women category in respect of elective post of Sarpanch of Bidkin Village Panchayat for the term commencing from 2015-2020.

2. Petitioner contends that during the term 2005-2010, the post was earmarked for women category whereas during the next term of 2010-2015, there was no prescription of reservation for women category. Since the reservation prescribed for women category is to the extent of 50%, the policy of rotation as laid down in Sub-Rule (4) Rule 2-A of Bombay Village Panchayat (Sarpanch and Up Sarpanch Election) Rules, 1964, needs to be adhered to. So far as rotation of reservation in respect of Scheduled Caste and Scheduled Tribe category and backward class is concerned, the prescription of reservation shall be by way of lots and, such of

those offices which were prescribed for reserved category during the preceding election shall have to be excluded while drawing the lots for the subsequent election. It has not been pointed out to us that the mandate of Rule 2-A(4) of the Act has been in any manner reached. It is also pointed out that the process of election is set in motion and tomorrow is the date prescribed for electing Sarpanch.

3. In this view of the matter, no interference is called for in the instant petition. Petition is devoid of substance hence stands rejected.

SMT. VIBHA KANKANWADI
JUDGE

R.M.BORDE
JUDGE

dyb