

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

WRIT PETITION NO. 8063 OF 2020

Gitaram s/o Rambhau Jogdand

.. Petitioner

Versus

The State of Maharashtra and ors.

.. Respondents

Mr Vaibhav B. Kulkarni, Advocate for petitioner

Mr S.P. Tiwari, A.G.P. for respondents no.1 to 3, 6 to 8

Mr A.B. Kadethankar, Advocate for respondent no.2

**CORAM : S.V. GANGAPURWALA AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 22nd December 2020

PER COURT :

1. Ward no.4 was reserved for Scheduled Case (Women) in Draft Ward. The same was rightly reserved considering the population of Ward No.4. While issuing the final publication, the reservation of Scheduled Caste (Women) was deleted from Ward No.4 and is taken up in Ward No.3. Same is illegal. Nobody has raised an objection to the same. Ward formation is not in consonance with the Rules.

2. We have heard Mr Kadethakar and learned A.G.P.

3. The reservation has to be made applying the rotation policy. The Grampanchayat is not in the scheduled area. In 2015 elections considering the population of Scheduled Castes, Ward No.4 was reserved for Scheduled Caste (Women). Naturally, for 2020 elections, applying rotation policy, Ward No.4 will have to be omitted and reservation for Scheduled Caste (Women) will have to be kept in another Ward having the highest Scheduled Caste population. Same, it appears is done rightly by the respondents.

4. In light of that, Writ Petition disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S.V. GANGAPURWALA, J.)

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