

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

WRIT PETITION NO. 8506 OF 2020

Sidharth Yadavrao Watude

.. Petitioner

Versus

The State of Maharashtra and ors.

.. Respondents

Mr A.N. Patil, Advocate for petitioner

Mr S.G. Karlekar, A.G.P. for respondent-State

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. Mr Patil, learned Advocate for the petitioner submits that since 15 years, not a single seat is reserved for Scheduled Castes in Gram Panchayat, Khadgaon. Learned Counsel submits that voters of Scheduled Castes are 237, still not a single seat is reserved for Schedule Caste candidate. The same is illegal and against the Constitutional mandate. An objection is raised by the petitioner, the same is not considered.

2. Mr Kadethankar, learned Counsel for respondent no.2 submits that for applying reservation, the population of Scheduled Castes as per 2011 census has to be considered and the population of Scheduled Castes of 2011 census is only 30. In view of that seat is not reserved for 2020.

3. As per guidelines and the Rules, year 2011 census is to be considered while applying reservation. It is submitted that as per 2011 census, Gram Panchayat Khadgaon population of Scheduled Caste is only 30 persons. In view of that, the decision of respondent no.3 cannot be faulted with. In case, in future census, the population of Scheduled Castes is shown more, then certainly the respondents will be duty bound to take steps.

4. Writ Petition is accordingly disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S.V. GANGAPURWALA, J.)

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