

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

91 WRIT PETITION NO.1999 OF 2021

**VIMAL DAMODHAR KAJALE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Petitioner:

Mr. M. S. Karad h/f. Mr. Thombre S. S.
GP for Respondents No.1,3&4: Mr. D. R. Kale
Standing Counsel for Respondent No. 2:
Mr. A. B. Kadethankar

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

DATE: 15th FEBRUARY, 2021

PER COURT:

1. The contention of the learned Counsel for the petitioner is that the post of Sarpanch for Grampanchayat Pimpalgaon Kajale ought to be reserved for SC (Female) and the same was reserved as per the draws held on 22.11.2020. The same is now changed and it is reserved for General (Women). The learned Counsel submits that the draws were held on 22.11.2020, the same ought not to have been cancelled subsequently.

2. No plausible explanation is given as to why the communication dated 16.12.2020 was not assailed earlier and the petitioner allowed the fresh draws to take place and assailed the fresh draws after finding them to be unfavourable.

3. Even, on merits, the required data is not placed to conclude as to how the post of Sarpanch reserved is not proper. The percentage of population for SC wherein post of Sarpanch is reserved for SC is more than the petitioner's village.

4. In light of the aforesaid facts, no relief can be granted to the petitioner.

5. Writ Petition is disposed of. No costs.

[SHRIKANT D. KULKARNI, J.]

[S. V. GANGAPURWALA, J.]

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