

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

1020 WRIT PETITION NO.2004 OF 2021

KRUSHNA PANDURANG KHANDARE

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Aashish T. Jadhavar, Advocate for the
Petitioner.

Mr. D. R. Kale, Incharge GP for Respondents-State.

Mr. A. B. Kadethankar, Advocate for Respondent
No.2.

...

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

DATED : 05th FEBRUARY, 2021.

PER COURT:-

1. Mr. Jadhavar, learned counsel submits that the post of Sarpanch for village panchayat Adgaon (Darade) Tal. Sailu is reserved for SC (women). According to the learned counsel for Grampanchayat Adgaon (Darade) not a single SC (women) candidate is elected and the said seat should go to SC candidate.

2. Mr. Kale, learned In-charge Government Pleader submits that in case, the woman candidate of SC or ST is not available, then the Collector/Authority would proceed in accordance with Rule 4(A) of the Maharashtra Village Panchayat (Sarpanch and Up-Sarpanch) Election Rules, 1964.

3. The insistence of Mr. Jadhavar, learned counsel for petitioner is also that the Authority in that case should adhere to Rule 4(A) of the Rules, 1964.

4. As it is already submitted by the In-charge Government Pleader that in such contingencies as apprehended by petitioner, the Authority will have to follow Rule 4(A) of the Rules, 1964. No further orders are necessary.

5. Writ Petition accordingly disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE