

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

WRIT PETITION NO. 2219 OF 2021

Bajrang Karbhari Naglot

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Mr. Ashok R. Tapse, Advocate for the Petitioner.

Mr. D. R. Kale, I/c. G. P. for Respondent Nos. 1, 3 and 4.

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

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

DATED : 03rd February, 2021.

PER COURT:-

. The petitioner is challenging the reservation for the post of Sarpanch of village Lalwan, Taluka Phulambri, District Aurangabad. The same is now reserved for OBC (women) category. The learned counsel for the petitioner submits that the same ought to have been reserved for general category. Earlier when the draws were made for the post of Sarpanch, the same was reserved for general category. The petitioner is also challenging the letter dated 16.12.2020 cancelling the draws.

2. We have heard the learned in-charge Government Pleader for respondent Nos. 1, 3 and 4 and Mr. Kadethankar, learned counsel for

respondent No. 2.

3. The petitioner did not challenge the communication dated 16.12.2020 cancelling the earlier reservation immediately. It allowed the fresh draws to take place and after the fresh draws finding that the fresh reservation is not suitable to him has challenged the same.

4. On merits also, we do not find that, the post of Sarpanch could have been reserved for general category. The year 1995 is the base year. In 1995, the post of Sarpanch of village Lalwan was reserved for OBC (female) category. In 2000 the same was reserved for SC category. In 2005 and 2010, the same was reserved for general category and in 2015 it was reserved for General (women) category. Naturally, now it could not be reserved for general category.

5. In the light of that, no case for interference is made out. Writ petition is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

PS.B.