

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

WRIT PETITION NO. 2320 OF 2021

Mangal Abhimanyu Surwase

.. Petitioner

Versus

The State of Maharashtra and another

.. Respondents

Mr. Sachin S. Deshmukh, Advocate for the Petitioner.

Mr. A. R. Kale, AGP for Respondent No. 1.

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

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

DATED : 15th February, 2021.

PER COURT:-

. The learned counsel for the petitioner submits that the post of Sarpanch of the Grampanchayat Lodga, Taluka Ausa, District Latur is reserved for OBC category. The same was also reserved for OBC category in the year 2005. The learned counsel further submits that, when the draws were made in November 2020, the post of Sarpanch of the said Grampanchayat was reserved for OBC (women) category. The same has been illegally changed to OBC category in fresh draws. There was no reason to cancel the draws made in November 2020. The communication dated 16.12.2020 cancelling the original draws and the communication dated 27.01.2021 are illegal.

2. We have heard the learned A.G.P for respondent No. 1 and Mr. Kadethankar, learned counsel for respondent No. 2.

3. No explanation is coming from the petitioner as to why the petitioner did not challenge the communication dated 16.12.2020 cancelling the earlier draws made in November 2020 immediately. The petitioner allowed the fresh draws to take place and finding that the fresh draws are not suitable to her, has assailed the same. The said draws are assailed at belated stage. Even the position of the post of Sarpanch of the said Grampanchayat in the year 1995 and 2000 is not placed on record. The year 1995 is the base year to consider the rotation policy.

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

5 Writ petition is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

RS.B.