

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2483 OF 2021

Shobha W/o Ashok Diwase and Anr.

...Petitioners

Versus

The State Election Commission,
Through - Secretary and Ors.

...Respondents

Mr V.A. Bagal Patil, Advocate for Petitioners
Mr A.R. Kale, Incharge Government Pleader
for Respondent-State
Mr A.B. Kadethankar, Advocate for Respondent No. 2

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

DATE : 8th FEBRUARY, 2021

PER COURT :

1. Mr Bagal, the learned counsel for the petitioners submits that the petitioner No. 1 is an elected member of Gram Panchayat, Lohgaon from S.C. category and petitioner No. 2 from O.B.C. (woman) category. The seat is reserved for S.T. category. There is only one candidate from the S.C. category. Since the year 1995-2000, the post of Sarpanch of Grampanchayat, Lohgaon is never reserved for S.C. or O.B.C. (woman) category. The same ought to have been reserved either for S.C. or O.B.C. (woman) category.
2. We have heard the learned Incharge Government Pleader and Mr Kadethankar, learned counsel for the respondent No. 2.

3. It appears that the post of Sarpanch of village Lohgaon since 1995-2000 was never reserved for S.T. category also. The said post was twice reserved for O.B.C., twice for General and once for General (Woman) category. As per the draw, the said post is now reserved for .S.T. category. As the post was never reserved for S.T. category earlier, the same now finds place. The position of the entire Taluka is not placed on record to demonstrate as to how the reservation for S.C. or O.B.C. woman is affected.

4. In light of that, the writ petition is disposed of. No costs.

[SHRIKANT D. KULKARNI, J.]

[S.V. GANGAPURWALA, J.]

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