

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

98 WRIT PETITION NO.2512 OF 2021

KALPANA BALAJI BASHATWAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Deshpande Gaurav L
AGP for Respondents/State: Mr. A. R. Kale
Advocate for Respondent No.2 :Mr. A. B. Kadethankar
...

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

DATE : 08.02.2021

P.C. :

. The petitioner is challenging the reservation for the post of Sarpanch of Grampanchayat Shahapur. The learned counsel submits that the post of Sarpanch of Grampanchayat Shahapur was never reserved for ST category since the year 1995. In the year 1995, it was reserved for SC (female), in the year 2000 it was reserved for OBC, in the year 2005 it was reserved for general (female), in the year 2010 it was reserved for general, in the year 2015 it was reserved for OBC and now it is reserved for SC (female). The learned counsel submits that as per the rotation policy, the post of Sarpanch ought to have been reserved for ST. The population of ST category is 299 in village Shahapur.

2. We have heard the learned AGP for the respondents/State.

3. According to the petitioner, the population of SC in village Metha is 1100. While following rotation policy, the reservation has to be kept in a descending order vis-a-vis the population of particular category in a village. The petitioner is not in a position to place on record the statistic qua the population of other villages where the post of Sarpanch is reserved for ST category in Taluka Deglur. As it is shown, the population of SC is much more in the said village and after 1995, the post of Sarpanch is reserved for SC (female). Taluka is considered as a unit while considering the reservation. In absence of all the details thereto, no conclusion can be drawn that the reservation made is erroneous.

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

(SHRIKANT D. KULKARNI, J.)

(S. V. GANGAPURWALA, J.)