

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

**BENCH AT AURANGABAD**

**97 WRIT PETITION NO.2509 OF 2021**

RAJU GANESHRAO LONDHE AND ANOTHER  
VERSUS

THE STATE OF MAHARASHTRA TRH ITS SECRETARY AND OTHERS

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Advocate for Petitioners : Mr. Nirmal Ramchandra J.

AGP for Respondents/State: Mr. A. R. Kale

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

**DATE : 08.02.2021**

**P.C. :**

. Mr. Nirmal the learned advocate for the petitioner submits that the petitioner No.2 is elected as a Member of Grampanchayat Metha from Scheduled Caste category. Since 1995, the post of Sarpanch of Grampanchayat Metha was never reserved for Scheduled Caste category. This time, the same ought to have been reserved for Scheduled Caste category. The population of Scheduled Caste is around 350 in village Metha. The said aspect has not been considered.

2. The learned AGP submits that 7% reservation is provided for Scheduled Caste category and 27% for Other Backward Class category. There may be other villages having more population of Scheduled Caste than the village Metha.

3. The petitioner could not place on record the population of other villages so as to compare the population of village Metha with others so far as Scheduled Caste is concerned. The post reserved in the preceding year for Scheduled Caste will have to be excluded and on the basis of population of descending order, the reservation will have to be maintained. In absence of the relevant data of Scheduled Caste population in other villages, it would not be possible to arrive at a conclusion. It appears that the post of Sarpanch was reserved for Other Backward Class in the year 2000-2005 only and thereafter, it is now being reserved for Other Backward Class. The elections of the Sarpanch are also over.

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

(SHRIKANT D. KULKARNI, J.)

(S. V. GANGAPURWALA, J.)