

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

99 WRIT PETITION NO.2513 OF 2021

SHIVAJI MAROTI PEDAPURE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Patil Indrale Anand V.
AGP for Respondents/State: Mr. A. R. Kale
Advocate for Respondent No.2 : Mr. A. B. Kadethankar

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

DATE : 08.02.2021

P.C. :

1. Mr. Patil the learned counsel for the petitioner submits that the petitioner is elected as a Member of Grampanchayat Kotekallur from OBC category. When draws were made in December-2020, the post of Sarpanch of Grampanchayat Kotekallur was reserved for OBC category. Now, they have changed the reservation to OBC (female). The same is illegal. The learned counsel submits that the respondents have maintained the reservation of SC and ST. The same ought to have been maintained for OBC also.

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

3. It appears that 2005 was the first year when the elections of the present Grampanchayat were held. At that time, the post of Sarpanch was reserved for general (women). In the year 2010 it was reserved for general and in the year 2015 it was reserved for SC and now, it is reserved for OBC (women). The reservation for women is 50%. On last two occasions, the post was never reserved for women.

4. In light of that, it cannot be said that illegality has been committed while reserving the post for OBC (women). Writ petition is, accordingly, disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S. V. GANGAPURWALA, J.)