

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

101 WRIT PETITION NO.2516 OF 2021

KALAVATI SHIVAJI KARALE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Sonkawade Amarsinha D

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. :

. Learned advocate for the petitioner submits that the petitioner is elected as a Member of Grampanchayat Walandi from ST category. The post of Sarpanch is reserved for General Women. Earlier also in 1995, the post of Sarpanch of the said Grampanchayat was reserved for General Women. Since 1995, the post of Sarpanch is never reserved for ST category. The same is not in consonance with the rotation policy. The reservation is made in a village Ambegaon where no ST candidate is available.

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

3. We do not have the record of population of ST in other villages. The reservation has to be made in a descending order commensurate with the population of ST category. It also appears that after 1995, for the first time, the seat is reserved for General Women and in the years 2010 and 2015, the post is reserved for SC and OBC category. 50% reservation is provided for women and this time, the post was reserved for General Women. In absence of all such details, it could not be possible to come a definite conclusion. The elections are also over.

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

(SHRIKANT D. KULKARNI, J.)

(S. V. GANGAPURWALA, J.)