

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

WRIT PETITION NO.2765 OF 2021

Kailas S/o Bhagwat Borde ... Petitioner.
Versus
The State Election Commission
and others ... Respondents.

....
Mr. N.B. Narwade, Advocate for the Petitioner.
Mr. A.R. Kale, A.G.P. for Respondents / State.
....

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

DATE : 10th FEBRUARY, 2021

PER COURT:-

1. Mr. Narwade, the learned counsel for the petitioner submits that no S.C. candidate is elected as a Member of the Grampanchayat Matulthan. The post of Sarpanch is reserved for S.C. category.
2. The learned AGP submits that in that case, Rule 4-A of the Bombay Village Panchayat (Sarpanch and Up-sarpanch) Election Rules, 1964 would be adhered to.
3. Naturally, in case, Scheduled Tribe (Woman) candidate is not available, then the respondents will have to adhere to Rule 4-A of the Rules, 1964 and its proviso.
4. The Writ petition disposed of. No costs.

**(SHRIKANT D. KULKARNI)
JUDGE**

S.P. Rane

**(S.V. GANGAPURWALA)
JUDGE**