

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

WRIT PETITION NO.2784 OF 2021

Bhalchandra S/o Sudam Chitte ... Petitioner.

Versus

The State Election Commission
and others ... Respondents.

....

Mr. Amol S. Sawant, Advocate for the Petitioner.
Mr. A.B. Kadethankar, Advocate for Respondent No.1.
Mr. A.R. Kale, A.G.P. for Respondent Nos.3 to 4.

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

DATE : 10th FEBRUARY, 2021

PER COURT:-

1. Mr. Sawant, the learned counsel for the petitioner submits that the post of Sarpanch of the Grampanchayat Mandane is reserved for General (women), The petitioner is elected as a member of Grampanchayat as a General candidate. The learned counsel submits that in 2010-2015, the said post of Sarpanch was reserved for General (women) so for this year, the said post would be excluded from the General (women) category. According to the learned counsel, the respondents have excluded 26 Grampanchayats where the post of Sarpanch was reserved for General (women) category in the last election. The last elections held in earlier years are to be considered.

2. It appears that even in 2005-2010, the post of Sarpanch of the said Grampanchayat was reserved for General and in 2010-2015, it was reserved for General (women) and now it was reserved for General (women).

3. The base year is 1995. The petitioner has not placed on record the details of the post of Sarpanch of the said Grampanchayat reserved in the year 1995.

4. Be that as it may, the post of Sarpanch was reserved for the General (women) category in the last election. Certainly, it could not have been considered. It is not a case that the post of Sarpanch was never reserved for General category. Other details are lacking.

5. In light of that, the writ petition is disposed of.

(**SHRIKANT D. KULKARNI**)
JUDGE

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

S.P. Rane