

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

966 WRIT PETITION NO.2743 OF 2021

GANESH MADHAV CHITTEBOINWAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr A. M. Inamdar
AGP for Respondents : Mr P K Lakhotiya

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

DATE : 10th February, 2021.

ORDER:

1. Learned counsel submits that post of Sarpanch of Grampanchat Lyahri is reserved for Scheduled Tribe (Woman) but there is no Scheduled Tribe (Woman) candidate. The petitioner is elected from Scheduled Tribe Category.

1. The learned A.G. P. submits that in absence of any Scheduled Tribe- woman candidate, Rule 4-A of the Maharashtra Village Panchayat (Sarpanch and Upa-Sarpanch) Election Rules, 1964 would be followed.

2. 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.

3. Writ petition disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S.V.GANGAPURWALA, J.)

JPC