

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

909 WRIT PETITION NO.2799 OF 2021

RAMCHANDRA GANGADHAR PATARE AND
ANOTHER

..PETITIONERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. S. S. Wagh h/f Mr. Vishwas B. Wagh, Advocate
for the Petitioners.

Mr. P. K. Lakhotiya, AGP for Respondents-State.

...

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

DATED : 17th FEBRUARY, 2021.

PER COURT:-

1. The post of Sarpanch of the Grampanchayat Khokar is reserved for SC (female).

2. Mr. Wagh, learned counsel for petitioners submits that the said post was reserved for SC (female) in the year 1995 also. The post of Sarpanch of the said Grampanchayat since the year 1995 is never reserved for ST, the same ought to have been reserved for ST.

3. The learned counsel submits that considering the rotation policy and the population, the post of Sarpanch of Grampanchayat Khokar ought to have been reserved for SC.

4. Mr. Lakhotiya, learned A.G.P. submits that now only 6 Grampanchayats had remained wherein the post of Sarpanch was not reserved for ST. Since the year 1995, they were not reserved for SC. Those were required to be reserved considering the descending order of population of SC, the same has been considered by reserving the post for SC for Grampanchayat Khokar.

5. We have considered the submissions by the learned counsel for the respective parties.

6. The election for the post of Sarpanch of Grampanchayat Khokar is over. The explanation has been given as to why the post of Sarpanch was reserved for SC of Grampanchayat Khokar. The explanation appears to be plausible.

7. In light of that, writ petition is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE