

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

WRIT PETITION NO. 2842 OF 2021

Bebi Shankarrao Pawar

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Umakant B. Deshmukh, Advocate for the Petitioner.

Shri A. R. Kale, A.G.P. for Respondent Nos. 1, 3 and 4.

Shri A. B. Kadethankar, Advocate for the Respondent No. 2.

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

DATE : 11TH FEBRUARY, 2021.

FINAL ORDER :

. Mr. Deshmukh, the learned advocate for the petitioner submits that, the post of sarpanch of Gram Panchayat Jambhali, Tq. Mukhed is reserved for O.B.C. category. The same ought to have been reserved for general category. Mistake was committed while excluding the gram panchayat for reservation of O.B.C. category. In fact, 1995 is the base year. Gram Panchayat of the petitioner ought to have been excluded from reservation of O.B.C. category for the year 2020-2025 but they have considered it for the year 2005.

2. We have heard the learned Assistant Government Pleader for respondents/State and Mr. Kadethankar, the learned Advocate for the Respondent/Commission.

3. Even if contention of Mr. Deshmukh, the learned advocate for the petitioner is accepted that Gram Panchayat reservation for the post from O.B.C. are to be excluded from 1995 onwards the scene and scenario would not change, because post of Sarpanch of present gram panchayat was never reserved for O.B.C. category. In the year 1995 and 2005 same was excluded. There was short fall of seats. Draws have to be drawn. Unfortunately gram panchayat of the petitioner finds place in the said draw.

4. In the light of the above, the writ petition is disposed of. No costs.

[SHRIKANT D. KULKARNI, J.] [S. V. GANGAPURWALA, J.]

bsb/Feb. 21