

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

WRIT PETITION NO.2839 OF 2021

Vijaymala W/o Shivaji Thor
and another

... Petitioners.

Versus

The State of Maharashtra
and others

... Respondents.

....

Mr. B.B. Shinde, Advocate for the Petitioners.
Mr. P.K. Lakhotiya, A.G.P. for Respondent Nos.1, 3 and 4.
Mr. A.B. Kadethankar, Advocate for Respondent No.2.

....

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

DATE : 10th FEBRUARY, 2021

PER COURT:-

1. The post of Sarpanch for Grampanchayat Tongaon is reserved for O.B.C. category. Mr. Shinde, learned counsel for the petitioner submits that the post of Sarpanch was reserved for O.B.C. also in the year 1995. It was never reserved for S.C. (women) or O.B.C. (women). According to the learned counsel, the post of Sarpanch is reserved for S.C. category in 2010-2015, but not reserved for S.C. (women). This time, the post of Sarpanch ought to have been reserved for S.C. (women) or O.B.C. (women) category.

2. It appears that there are 114 Grampanchayats in Taluka Aurangabad. 50% seat was reserved for general category and the said post is already reserved for S.C. or O.B.C. category in earlier years, then it will have to be excluded in the present election.

3. The petitioner has not placed on record the relevant data about the reservations made in the preceding elections from 1995 onwards. In absence of the entire data, it will not be possible to arrive at a definite conclusion.

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

(SHRIKANT D. KULKARNI)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

S.P. Rane