

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

43 WRIT PETITION NO.2993 OF 2021

DEEPAK RAMDAS KHARE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS ADDITIONAL
CHIEF SECRETARY AND OTHERS

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Advocate for Petitioner:
Mr. Patil (Borse) Paresh B.
AGP for Respondents/State: Mr. P. K. Lakhotiya

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

DATE: 15th FEBRUARY, 2021

PER COURT:

1. Mr. Patil, learned Counsel for the petitioner submits that the post of Sarpanch of Grampanchayat Lohara ought to have been reserved for SC/ST. The petitioner is elected as a Member of the Grampanchayat Lohara from SC category. The learned Counsel submits that since the year 1995 the post of Sarpanch is never reserved for SC of Grampanchayat Lohara, the same is illegal.

2. We have heard the learned A.G.P.

3. It appears that there are 100 Grampanchayats. Seven posts of Sarpanch are reserved for SC in the said Taluka. As such, as yet, only 42 Grampanchayats from the year 1995 have got the benefit of SC reservation. The learned Counsel for the petitioner is not in a position to place on record that the Grampanchayat where the post of SC is reserved has less population of SC than the petitioner's Grampanchayat. In absence of the same, no conclusive finding can be arrived at.

4. Writ Petition, as such, is disposed of. No costs.

[SHRIKANT D. KULKARNI, J.]

[S. V. GANGAPURWALA, J.]

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