

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

WRIT PETITION NO. 3040 OF 2021

Bebabai Devidas Patil

... Petitioner.

Versus

The State of Maharashtra
and others

... Respondents.

....

Mr. T.M. Venjane, Advocate h/f Mr. G.V. Wani, Advocate for the
Petitioner.

Mr. P.K. Lakhotiya for Respondents / State.

....

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

DATE : 16th FEBRUARY, 2021

PER COURT:-

1. Mr. Vamkame, the learned counsel for the petitioner submits that the post of Sarpanch of the Grampanchayat Dhamande is reserved for S.T. (women) category, but as the candidate from S.T. (women) category is not available, the same is now reserved for S.T. category that would be violating the rule of providing 50% reservation for women.

2. In case, the SC (female) candidate is not available then the respondents would have to adhere to Rule 4-A of the Bombay Village Panchayat (Sarpanch and Up-sarpanch) Election Rules, 1964. In view of that, it cannot be said that the illegality has been committed.

4. The Writ petition disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

S.P. Rane