

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

909 WRIT PETITION NO.3276 OF 2021

PRIYA BALASAHEB KHARBE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Bachate Pralhad D.
AGP for Respondents/State: Mr. A. R. Kale
...

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

DATE : 9th March, 2021

P.C. :

. Mr. Bachate, the learned counsel submits that the Grampanchayat Naikota was excluded while considering reservation for OBC category. The post of Sarpanch for Grampanchayat Naikota was reserved for OBC category in the year 1995. Since then, thrice, it is reserved for General category and once for SC category. There was no reason to exclude the Grampanchayat Naikota for this year. This year, again it is reserved for General women category. According to the learned counsel, the Rules of 1964 are not followed. The rotation police has not been adhered to.

2. Mr. Kale, the learned Govt. Pleader appears for respondent Nos.1, 3, and 4 and Mr. Kadethankar, the learned counsel appears for respondent No.2.

3. The elections for the post of Sarpanch of Grampanchayat Naikota are held on 12.2.2021. In fact, the petitioner ought to have approached the Court earlier, the petition is filed on the day, the elections were scheduled to be held. The person elected as a Sarpanch is not party.

4. We do not have the record of all the Grampanchayat in the Taluka right since 1995. In absence thereof, no conclusion can be drawn. Writ petition as such is disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S. V. GANGAPURWALA, J.)