

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

928 WRIT PETITION NO.5076 OF 2021

RUPALI ISHWAR KAMBLE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Advocate for Petitioner : Mr Rodge Krishna P.
AGP for Respondents State: Mr P K Lakhotiya
Advocate for Respondent No.2 : Mr. A. B. Kadethankar

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

DATE : 23rd March, 2021.

ORDER:

1. We have heard Mr. Rodge, the learned counsel for the petitioner. The learned counsel submits that population of Scheduled Caste is near about 125 in Grampanchayat Kumdal but no post of member was reserved for Scheduled Caste woman. One post was reserved for Scheduled Caste. Post of Sarpanch is reserved for Scheduled Caste Woman. There is no woman candidate available from S.C. Category. Illegality is committed by the respondents.

2. Learned A.G.P. accepts notice for respondent Nos.1,3,4 & 5 and Mr. Kadethankar, the learned counsel waives notice for respondent No.2.

3. Reservations were made way back in the year 2020. If Scheduled Caste Woman is not available then Rule 4-A of the Maharashtra Village Panchayat (Sarpanch and Upa-Sarpanch) Election Rules, 1964 will have to be adhered to.

4. In light of above, no need for interference. Writ petition disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S.V.GANGAPURWALA, J.)

JPC