

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4605 OF 2021

Kalpana Sunil Bhand

...Petitioner

Versus

State of Maharashtra and Others

...Respondents

Mr P.V. Barde, Advocate for Petitioner

Mr A.R. Kale, AGP for Respondents-State

Mr A.B. Kadethankar, Advocate for Respondent No. 2

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

DATE : 15th MARCH, 2021

PER COURT :

1. Mr Barde, the learned counsel for the petitioner submits that the post of Sarpanch of Grampanchayat, Whellale was reserved for SC women. No SC woman candidate is elected. Now, the reservation is transferred to SC category. In that case, the reservation of women would be below 50%. The same would not be in consonance with Section 30 (c) of the Maharashtra Village Panchayat Act.
2. We have heard Mr Kadethankar, the learned counsel and the learned Assistant Government Pleader for respondent-State.
3. As per Rule 4 of the Rules, 1964, if SC woman candidate is not available, the post would go to SC. The action of the respondent is in tune with the said Rule.
4. In view of that, the writ petition is disposed of. No costs.

[SHRIKANT D. KULKARNI, J.]

[S.V. GANGAPURWALA, J.]

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