

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

WRIT PETITION NO. 13849 OF 2021

Dattu Bhaga Ghodsare

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Mr. Shaikh Mazhar A. Jahagirdar, Advocate for the Petitioner.

Mr. S. G. Karlekar, AGP for Respondent Nos. 1 to 3.

Mr. A. B. Kadethankar, Advocate for Respondent No. 4.

**CORAM : S. V. GANGAPURWALA &
 S. G. DIGE, JJ.**

DATED : 17th DECEMBER, 2021.

PER COURT:-

. Heard Mr. Jahagirdar, learned counsel for the petitioner and Mr. Kadethankar, learned counsel for the respondent No. 4.

2. The grievance of the petitioner appears that four posts out of seven posts are reserved for Scheduled Tribe category in the election of Village Panchayat Ghodsarwadi, Taluka Akole, District Ahmednagar.

3. Mr. Jahagirdar, learned counsel submits that only one post is meant for General Category. The reservation cannot exceed 50%.

4. Mr. Kadethankar, learned counsel for the Election Commission submits that the village Ghodsarwadi is in a Scheduled area wherein

50% posts are reserved for Scheduled Tribe category as per the provisions of the statute.

5. In case of election of Grampanchayat located in a scheduled area, 50% posts are required to be reserved for Scheduled category. Four posts are reserved for Scheduled Tribe category.

6. In view of that, we do not find any error in the same. Writ petition, as such is disposed of. No costs.

(S. G. DIGE)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

P.S.B.