

R.M. AMBERKAR
(Private Secretary)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 751 OF 2021

Tanaji Baba Lavate .. Petitioner
Vs
State Election Commission & Ors. .. Respondents

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- Mr. M.A. Patil i/by Mr. B.A. Lawate for the Petitioner
 - Mr. S.B. Shetty a/w Ms. Priyanka Chavan for Respondent No. 1 - State Election Commission
 - Mr. P.G. Sawant, AGP for the State
 - Mr. Sandesh More a/w Mr. Hemant Ghadigaonkar and Mr. Hintendra Gandhi for the Intervenor

**CORAM : S.J. KATHAWALLA &
MILIND N. JADHAV, JJ.**

DATE : MARCH 15, 2021.

P.C.:

1. By the above Writ Petition, the Petitioner inter-alia seeks the following reliefs :

“(b) This Hon’ble Court be pleased to issue the Writ of Mandamus or Certiorari or any other appropriate Writ / direction / order in the nature of Writ of Mandamus or Certiorari under Article 226 of the Constitution of India, 1950.

(i) To quash and set aside the impugned lottery reservation dated 22nd February, 2021 of the post of Sarpanch of the Grampanchayat Nijampur, Taluka Sangola (in Exhibit-C of this Writ Petition) passed by the Respondent No. 3 – Ld. Tahasildar, Taluka – Sangola, District – Solapur and further direct to maintain reservation dated 27th January, 2021 (Exhibit-B of this Writ Petition)

(ii) Direct the Respondent Nos. 2 and 3 that reservation for the post of Sarpanch of Grampanchayat Nijampur, Taluka – Sangola, District – Solapur falls in general category.”

2. Learned Advocate appearing for the Tehsildar as well as the Collector states that the ‘reservation declaration’ issued by Tehsildar is not final, and the same is forwarded to the Collector, for his Approval. The Collector has not granted his approval till date.

3. In view of the above, the reliefs sought in the Writ Petition are pre-matured.

4. The Collector shall consider the order of Tehsildar and pass necessary order within a period of two weeks from today.

5. In view of the above, the Writ Petition is disposed of.

[MILIND N. JADHAV, J.]

[S.J. KATHAWALLA, J.]