

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

WRIT PETITION NO.204 OF 2022

ANITA RAKESH PAWAR

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...
Mr. Amarjitsing B. Girase, Advocate for the
Petitioner.

Mr. D. R. Kale, Incharge Government Pleader for
Respondents-State.

Mr. N. N. Desale, Advocate for Respondent No.5.

...

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

DATED : 10th JANUARY, 2022.

PER COURT:-

1. Heard Mr. Girase, learned counsel for petitioner.

2. The learned counsel for petitioner submits that, the election for the post of Chairman of Panchayat Samiti Shindhkheda was scheduled on 10.01.2022 alongwith the election for the post of Deputy Chairman. The election for the post of Deputy Chairman is directed to be proceeded with, however, under impugned communication the election for the post of Chairman is postponed.

3. The learned counsel further submits that, in view of the judgment of the Apex Court in a case

of **Vikas Kishanrao Gawali Vs. State of Maharashtra and Others** reported in (2021) 6 SCC 73 the posts which were reserved for OBC shall be converted to General Category.

4. We have heard Mr. Kale, learned incharge Government Pleader.

5. In fact, in tune with the judgment of the Apex Court in case of **Vikas Kishanrao Gawali Vs. State of Maharashtra and Others** (supra), the respondents ought to have proceeded further with the election of the Chairman.

6. The respondent shall hold the election for the post of Chairman of Panchayat Samiti, Shindhkheda in tune with the judgment of the Apex Court in case of **Vikas Kishanrao Gawali Vs. State of Maharashtra and Others** (supra) within a period of 10 days from today in accordance with law.

7. Writ Petition is disposed of. No costs.

(S. G. DIGE)
JUDGE

(S. V. GANGAPURWALA)
JUDGE