



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Writ Petition No.6426/2022

Sushil and others V the Maharashtra State Election Commission and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Mr. Tejas Deshpande, Adv for petitioners.
Mr. J.B. Kasat, Adv for resp. no.1.
Mr. Uikey, Addl.GP for resp. nos. 2 and 3.

CORAM : AVINASH G GHAROTE &
URMILA JOSHI-PHALKE, JJ.
DATE : 14-09-2023

The present petition challenges the reservation based upon the election of the Gram Panchayat Kurankhed, Tahsil and District Akola, which according to the petitioners exceeds 50% and therefore would be unconstitutional. Reliance is placed upon Vikas Kishanrao Gawali Vs State of Maharashtra and others (2021)6 SCC 73. Mr. Kasat, learned Counsel for respondent no.1, however, has placed on record affidavit dated 08-09-2023, in which it has been stated that the total number of seats of the Gram Panchayat Kurankhed are 15 in numbers, out of which 3 seats were reserved for Scheduled Caste and 4 seats for Other Backward Class which indicates that the reservation is not exceeding 50%. In that view of the matter, judgment in case of Vikas Kishanrao Gawali (supra), would not come to the assistance of the learned counsel

for the petitioners to contend that the reservation has been exceeded.

2. We do not find merit in the present petition, the same is dismissed. No costs.

JUDGE

JUDGE