



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

906 WRIT PETITION NO.9764 OF 2025

Vaibhav Anandrao Dhumale

..Petitioner

VERSUS

The State Of Maharashtra And Others

..Respondents

.....
Mr. Vaibhav B. Kulkarni h/f Mr. S. S. Palnitkar, Advocate for the Petitioner.
Mr. V. M. Kagne, AGP for Respondent Nos.1, 3 and 4.
.....

**CORAM : SMT. VIBHA KANKANWADI &
HITEN S. VENEGAVKAR, JJ.**

DATE : 02 DECEMBER 2025

ORDER :

. Heard learned Advocate Mr. Vaibhav B. Kulkarni holding for learned Advocate Mr. S. S. Palnitkar. Learned AGP waives notice for respondent Nos.1, 3 and 4. There is no necessity to issue notice to respondent No.2.

2. The petitioner has prayed for following reliefs :-

“B. By passing Writ of Certiorari or any other appropriate Writ or order or direction of like nature the impugned order/minutes of draw of reservation dated 01.07.2025 for the post of Sarpanch for the year 2025 to 2030

of the Degloor Taluka, Dist. Nanded to the extent of Village Panchayat Markhel reserving the post of Sarpanch for OBC (Women) may kindly be quashed and set aside.

C. By issuing Writ of Mandamus or any other Writ or order or direction of like nature Respondent Nos.2 and 3 may kindly be directed to reserve the post of Sarpanch of Village Panchayat Markhel, Tq. Degloor, Dist. Nanded for OPEN category for the year 2025 to 2030.”

3. Learned Advocate for the petitioner submits that when the draw for the election was drawn in respect of reservation for the post of Sarpanch at Village Markhel, the base has been taken of the year 2010 when in fact it ought to have been from 1995, as Rule 2A of the Bombay Village Panchayats (Sarpanch And Upa Sarpanch) Election Rules 1964, came to be amended by inserting the Maharashtra Act No.52 of 1994 and taking into consideration the said base of 1995, the reservation ought to have been fixed.

4. It can be seen that after the draw was taken, of which the minutes have been produced on 01.07.2025, it appears that the present petitioner made a representation to respondent Nos.3 and 4, however, the said representation doesn't appear to be specific as that has been argued now. Under such circumstance, there could not have been a decision on the representation by the petitioner when it is vague. We, therefore, dispose

of the writ petition by giving liberty to the petitioner to make a detailed representation to respondent Nos.3 and 4 within a period of one week from today and after the receipt of the said representation, then respondent No.3 should decide it within a period of 15 days thereafter.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm