



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

WRIT PETITION NO.174/2025

(Ganesh S/o Vasanta Aade Vs. State Election Commissioner, State of Maharashtra, Mumbai and others)

WITH

WRIT PETITION NO.178/2025

(Hiralal Vithoba Nagpure Vs. State Election Commissioner, State of Maharashtra, Mumbai and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A.M. Chandekar, Advocate for the petitioner.

Mr. Devendra V. Chauhan, Senior Advocate and Government Pleader for
respondent No.2/State. (..in both petitions)

CORAM: NITIN W. SAMBRE & MRS.VRUSHALI V. JOSHI, JJ.

DATED: 10.1.2025.

Common order

We have heard Mr. Chandekar, learned Advocate for the petitioner.

2. Drawing support from the Division Bench judgment in the matter of Vitthal S/o Dattu Gore V/s. State of Maharashtra and others reported in **2010 ALL MR 302** and the interpretation of rule 2-F(6) of the Maharashtra Zilla Parishads (President, Vice-President and Chairman of Subjects Committee) and Panchayat Samitis (Chairman and Deputy Chairman) (Reservation of Offices and Election) Rules, 1962 (for short "Rules"), it is urged that reservation of the seats in earlier round was ignored as a sequel of which, the maximum statutory reservation which ought to have been maintained is not adhered. It is claimed that the reservation should have been applied in toto including that of reserved seats which in prior point of time were filled in in view of very same Rules.

3. So far as the aforesaid contentions are concerned, we are of the view that drawing of lots for reservation by this time is over.

4. We are unable to satisfy ourselves from the material placed on record to infer that percentage of reservation is not adhered to.

5. It is for the petitioner to demonstrate that the reservation which is adhered to by the respondents pursuant to the aforesaid Rules is contrary to the statutory provisions, which he has failed to do.

6. That being so, at this stage, no interference is called for. However, we make it clear that petitioner is at liberty to approach this Court in case in future while drawing of lots for the reserved posts the prescribed percentage of the reservation is not maintained.

(MRS.VRUSHALI V.JOSHI, J.)

(NITIN W. SAMBRE, J.)