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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELATE JURISDICTION
REVIEW PETITION NO.43 OF 2015 IN
WRIT PETITION NO.8557 OF 2014

Mrs.Jayashree Bhaskar Gosavi ...Petitioner
vs.
Mr.Vishwanath Krishnath Panke & Ors. ...Respondents

Ms Ujwala Karpe a/w Ms Minal Deshmukh i/b
Mr.V.S.Deokar for the petitioner
Ms M.P.Thakur, AGP for State
Ms Pallavi Jadhav i/b J.G.Reddy for the respondent
No.1

CORAM : A.S.OKA, &
A.S.GADKARI, JJ.
DATE : APRIL 23, 2015

P.C.:

1 Heard the learned counsel for the petitioner. The caste claim of the petitioner was negated by the Caste Scrutiny Committee. A petition filed by the petitioner under Article 226 of the Constitution of India for challenging the order of the Caste Scrutiny Committee was rejected by this Court by order dated 20th December 2014. The Review is sought of this order.

2 The first submission in support of the Review Petition by the learned counsel for the petitioner is that in this review petition, the petitioner is relying upon the affidavit of Shri Mohan and Ajay which is at Exhibit-H. However, we find that no reasons have been set out in the review petition as

to why the said affidavit was not filed in the main Writ Petition. Nothing is pointed out to show what prevented the petitioner from filing the said affidavit in the Writ Petition. Therefore, there is no merit in the said ground.

3 The second contention of the review petitioner is that the show cause notice was not issued to the petitioner in terms of the decision of the Apex Court in the case of Madhuri Patil Vs. Additional Commissioner, Tribal Development and others¹.

4 In the present case, adjudication was made in terms of the enactment of the year 2000 and the Rules framed thereunder. The petitioner was fully heard. The petitioner was permitted to adduce evidence. Therefore, there is no merit even in the second ground.

5 In the present case, the petitioner claimed that she belongs to Bangosavi, Nomadic Tribe. There is a finding of fact recorded by the Caste Scrutiny Committee that the caste of the father of the petitioner was recorded as Maratha.

6 There is no error apparent on the face of the record. Even otherwise, there is no ground for review. Review Petition is rejected.

(A.S.GADKARI,J.)

(A.S.OKA,J.)

1 1994 (6) SCC 241