

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

Civil Application (O) No. 731 of 2015 in Misc. C.A. (Review) St. No. 1235 of 2015 in
W.P.No. 7247 of 2014.

Anil s/o Narayanrao Pawar vs. Raju s/o Pandurang Jagtap and others.

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

Court's or Judge's
Orders.

Shri S.U.Nemade, Adv. for the applicant.
Shri Pawan Raulkar, Adv. for R-1.

CORAM : SMT. VASANTI A. NAIK &
A.M.BADAR, JJ

DATE : 24.4.2015

By this civil application, the applicant seeks leave to file the review application. It is stated on behalf of the applicant that the applicant has filed a separate Writ Petition against the petitioner in Writ Petition No. 7247 of 2014 raising an objection that the petitioner in Writ Petition No. 7247 of 2014 does not belong to "Kanjari - Bhat" caste. In the said writ petition, Rule is issued and the same is pending. It is further stated that no interim relief is granted in the said writ petition.

According to the applicant, the petitioner in the W.P.No. 7247 of 2014 has misrepresented the Court and the Caste Scrutiny Committee and has secured the order dated 24.12.2014 of which review is sought. However, on a perusal of the order dated 24.12.2014 that is sought to be reviewed, it appears that the Writ Petition was allowed by accepting the statement made by the learned Assistant Government Pleader and the matter was not decided on merit. The said order dated 24.12.2014, therefore, may

not come in the way of the applicant especially when the applicant was not a party to Writ Petition No. 7247 of 2014. The court would consider the Writ Petition filed by the applicant in accordance with law. It would not be in the interest of justice to grant leave to the applicant to file the review application for seeking review of the Judgment dated 24.12.2014, especially when the applicant is not a necessary or proper party in the said writ petition. Civil Application as well as Misc. Civil Application (Review) Stamp No. 1235 of 2015 stand dismissed.

JUDGE

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