

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**REVIEW APPLICATION STAMP NO. 30647 OF 2015
IN
WRIT PETITION NO.8505 OF 2013**

...
THE STATE OF MAHARASHTRA
VERSUS
SANJAY BABANRAO POLSANE

...
Advocate for Applicant : Mr. S.D.Kaldate

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**CORAM : S.S. SHINDE & V.K. JADHAV, JJ.
Date : February 26, 2016**

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PER COURT:

1] Heard the learned AGP appearing for the applicant – State.

2] We have considered the submission of the learned AGP appearing for the applicant – State. Perused the grounds in the Review Application, and other material placed on record. In view of the Judgment of the Full Bench in the case of Arun s/o. Vishwanath Sonone Vs. State of Maharashtra and others¹, and in particular para 75 thereof, mere invalidation of the caste claim by the Scrutiny Committee would not entail the consequences of withdrawal of benefits or discharge from the employment

¹ 2015 [1] Mh.L.J. 457

or cancellation of appointments that have become final prior to the decision in *Milind's* case on 28-11-2000, and for the other reasons recorded in the said Judgment, and in view of the Government Resolution dated 21st October, 2015, issued by the General Administration Department, Government of Maharashtra, which is tendered across the Bar by the learned AGP appearing for the applicant-State. The protection in service in case of employee whose caste/tribe claim is invalidated, is extended till 17th October, 2001. We do not see any reason to entertain the Review Application.

3] Admittedly, as already observed, the respondent i.e. petitioner in Writ Petition, was appointed on 18.02.1997 i.e. prior to afore-mentioned cut-off dates, mentioned in the Full Bench Judgment, and also in the said Government Resolution, therefore petitioner's services stands protected. There is no any error apparent on the face of record.

4] For the reasons aforesaid, the Review Application deserves no consideration, accordingly same stands rejected.

[V.K. JADHAV, J.]

[S.S. SHINDE, J.]