

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

CIVIL APPLICATION (CAO) NO. 1865 OF 2016

IN

M.C.A. ST. NO. 16819 OF 2016

IN

WRIT PETITION NO. 3552 OF 2015(D)

(INAM UR RAHMAN ALTAF UR RAHMAN QURESHI..VS..DIV. CASTE CERTIFICATE SCRUTINY
 COMMITTEE & 2 OTH.)

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

Court's or Judge's orders

 Shri S.R.Narnaware, Advocate for Applicant.

CORAM : B.P.DHARMADHIKARI AND
KUM. INDIRA JAIN, JJ.

DATED : NOVEMBER 25, 2016.

We find that while delivering judgment on 5th July, 2016 appropriate reasons are recorded, however, interim order granted in Writ Petition was continued for a period of three months in the backdrop of the arguments advanced.

Instead of approaching the Hon'ble Apex Court, on the same grounds, the review petition was filed after delay of five days. Notice was issued on prayer for condonation of delay.

Today, during hearing, we find that the only ground pressed into service is that invalidation of caste claim of sister was subsequent to reference of caste claim of the petitioner to the Scrutiny Committee. Invalidation of Caste Claim of younger sister of the petitioner is in the year 2011

while the order impugned in Writ Petition No. 3552 of 2015 by the present applicant / petitioner is dated 21/05/2015. Thus, that order has been passed at least four years after the order in the matter of the younger sister.

In this situation, we find no ground for review.

Advocate Shri Narnaware, however, submits that in the meanwhile the petitioner has already completed her education and in this situation, her education needs to be protected.

Considering the arguments advanced and the ongoing education of the petitioner, this Court had granted her time of three months to approach the Hon'ble Apex Court. The Hon'ble Apex Court was not approached and this review petition came to be filed, which is pending since then.

In this situation, without laying down any precedence, we continue the interim order only for the period of four weeks and it shall cease to operate automatically thereafter.

JUDGE

JUDGE