

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

**REVIEW APPLICATION [STAMP] NO. 10622 OF 2009  
IN WP/3228/2007**

RAJANI CHANDRAKANT BHARULE  
VERSUS  
THE STATE OF MAHARASHTRA AND ORS.

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Mrs.Kalpalata Patil-Bharaswadkar, Advocate for applicant  
Mrs.A.V.Gondhalekar, A.G.P. for respondent

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**CORAM : SUNIL P. DESHMUKH AND  
SANGITRAO S. PATIL, JJ.  
DATE : DECEMBER 05, 2017**

**PER COURT**

Heard Mrs.Bharaswadkar-Patil, learned Counsel for review applicant/petitioner and learned AGP for respondent nos.1 to 3. With consent of the parties, Review Application is taken up for hearing.

2. Learned Counsel for review applicant/petitioner contends that while the Writ Petitioner belongs to Scheduled Caste category and had not made any representation that she belongs to Scheduled Tribe category, yet her services came to be discontinued for she was considered from Scheduled Tribe category. Learned Counsel submits that there is a glaring error committed by the authorities while discontinuing her services.

The record would reveal that in fact, her claim for Scheduled Caste category was sent to the Scrutiny Committee for validation. Therefore, learned Counsel submits that the matter deserves to be reviewed.

3. Opposing above submissions, learned Assistant Government Pleader submits that review applicant/petitioner may be belonging to Scheduled Caste category, yet the review application is unlikely to serve any purpose for the review applicant since the order dated 12-06-2007 makes it apparent that the applicant did not possess the minimum qualifying marks of 48.88% for selection and appointment from Scheduled Caste category. She has secured only 40.13%. This position is not disputed by the parties. In the circumstances, no fruitful purpose would be served by entertaining the review application.

4. The petitioner contends to have approached the authorities as a Schedule Caste category candidate. The position, that the petitioner claiming to belong to Scheduled Caste Category is unlikely to change for the authority had considered her from Scheduled Tribe Category. Since the matter is unlikely to

serve any fruitful purpose and the so called mistake of the authorities is unlikely to affect the claim of the petitioner of Scheduled Caste Category, we do not consider that the review application deserves any consideration.

5. The Review Application is dismissed.

**[SANGITRAO S. PATIL, J.]**

**[SUNIL P. DESHMUKH, J.]**

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