

JPP

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION***

WRIT PETITION NO. 3601 OF 2014

Smt. Rambhaben Shamji Shah and Anr. ... Petitioners.

V/s.

State of Maharashtra through its Secretary,
Tribal Development Dept. and Ors. ... Respondents.

Mr. R.K. Mendadkar for the Petitioners.

Mr. Omkar Kulkarni, AGP for Respondents 1 and 2.

Mr. Sandesh Patil i/b. Leena Patil for Respondents 3 and 4.

***CORAM : S.C. Dharmadhikari and
Smt. Bharati H. Dangre, JJ.***

2 November, 2017.

P.C. :-

After we heard Mr. Mendadkar for some time and we expressed our disinclination to grant the relief in writ jurisdiction, on instructions, he seeks leave to withdraw the Writ Petition. The Writ Petition is dismissed as withdrawn.

2. Mr. Mendadkar says that even if the Petition is dismissed, since there is an underlying fraud, the Petitioners can still

bring it to the notice of the committee and in terms of the Maharashtra Act 23 of 2001. We do not think that the Petitioners require any liberty from this Court to bring to the notice of the competent authorities, the fraud. If there is a fraud and that is established and proved, it vitiates everything from inception. Hence, we do not wish to say anything on liberty being reserved to bring the fraud to the notice or otherwise.

(Smt. Bharati H. Dangre, J.) (S.C. Dharmadhikari, J.)