

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

REVIEW APPLICATION (CIVIL) NO. 266 OF 2017
IN WP/823/2017

SURATSING SHANKAR THAKUR
VERSUS
EDUCATION OFFICER ZP DHULE AND OTHERS

...

Advocate for the Applicant : Shri Deshmukh Mahesh S..
Advocate for the Respondents : Shri Somnath D. Nagode h/f Shri Patil
Prakashsing B..

...

CORAM: RAVINDRA V. GHUGE, J.

DATE :- 25th January, 2018

Per Court:

1 The Review Applicant seeks review of the order dated 09.02.2017 passed by this Court in Writ Petition No.823/2017 by which, the writ petition was dismissed.

2 The Review Applicant's father is about 67 years of age today and the Applicant (his son) seeks correction of his father's caste from "Bhat Thakur" to "Hindu Thakur" in his school record, which he seems to have left about 50 years ago.

3 Shri Deshmukh, learned Advocate for the Review Applicant, has strenuously contended that the order of this Court suffers from an error apparent on the face of the order. For the said purpose, he draws my

attention to the five grounds formulated by him in the memo of the Review Application. He submits that the law is now settled that insofar as the tribals as like the Review Applicant herein, are concerned, they can profess any religion.

4 He further points out that the document pertaining to his uncle Omkar Ramaji Thakur, whose date of birth is 04.09.1904, indicates that his caste was "Thakur". His School Leaving Certificate, as he was admitted in the school from 14.02.1910 till 01.07.1910, indicates this aspect. The document pertaining to his brother Vasant Shankar Thakur shows his caste as "Hindu Thakur".

5 Shri Deshmukh has produced the attested copy of the Caste Certificate obtained from the Tahasildar, Sindkheda dated 23.08.1977 to contend that the caste of the Review Applicant is "Hindu Thakur". He also produces the School Leaving Certificate dated 18.10.1999 whereby, the caste of the Applicant is shown as "Hindu Thakur". Based on these documents, it is prayed that the caste of his father shown as "Bhat Thakur" in the school record be changed to "Hindu Thakur".

6 The Honourable Supreme Court, in the matter of *Lily Thomas vs. Union of India*, **AIR 2000 SC 1650**, has laid down the law in the matters of entertaining the Review Applications. It is concluded that the Review Application ought not to be argued as if the writ petition is being re-argued.

7 Considering the peculiar facts as above and keeping in view that the Review Applicant seeks correction of his father's caste in the school records, I do not find that this Court has committed any error in passing the order under review. All contentions of the Review Applicant were recorded in paragraphs 4 to 8 of the judgment under review. As such, this Review Application is rejected.

kps

(RAVINDRA V. GHUGE, J.)