

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

**MISC. CIVIL APPLICATION NO.467/2018**

**IN**

**WRIT PETITION NO.1185/2018 (D)**

**Shri Ankur s/o Ramesh Raikwar and another**

**...Versus...**

**The State of Maharashtra through its Secretary, Tribal Welfare Department,**  
**Mantralaya, Mumbai and others**

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

Shri M.G. Bhangde, Sr. Counsel with Shri G.G. Mishra, Counsel for applicants  
Shri Amit Chutke, A.G.P. for respondent nos.1 and 2  
Shri A.A. Naik, Counsel for respondent no.4

**CORAM : B.P. DHARMADHIKARI AND  
ARUN D. UPADHYE, JJ.**

**DATE : 24/04/2018**

1. Heard.
2. Applicants/petitioners in Writ Petition No.1185/2018 seek review of order dated 9/4/2018.
3. Submission is, there was no hearing in caste claim of petitioner no.2 after 2005 and as such petitioner no.2 did not have any occasion to point out invalidity of caste claim of her father in 2007. It is further submitted that the contentions specifically raised could not be then pressed into service, though this Court gave opportunity and additional affidavit had been filed by petitioner no.1 – Ankur in writ petition. Our attention is invited to statement made in paragraph no.5 by said Ankur.

4. It is not in dispute that a common petition has been filed by Ankur and petitioner no.2 – sister challenging common order of invalidation.

5. During arguments, review applicants fairly stated that whenever proceedings were conducted, the Scrutiny Committee had fixed both caste claims on same date and common business has been transacted.

6. Submission of review applicant no.2 is, as in her matter caste claim was not fixed for consideration after 2005, she could not point out father's invalidity and the application moved by petitioner for grant of validity along with signature of father was only by petitioner no.1 – Ankur.

7. After hearing respective Counsel at that juncture and after perusal of records, we have taken note of common proceedings and the sister therefore cannot claim ignorance of exercise of verification going on in the matter of her elder brother or then invalidity of her father. In fact, she is not claiming ignorance of invalidity.

8. If there was invalidity in 2007, she could have forwarded the intimation thereof to Scrutiny Committee even though there was no formal date fixed for hearing.

9. No case is therefore made out. Misc. Civil Application is rejected. No costs.

**JUDGE**

**JUDGE**