

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

**REVIEW APPLICATION (STAMP) NO. 27631 OF 2019
IN WP 8980/2018**

Ashwini Vishnu Watane. ... Applicant.

Versus

The State of Maharashtra ... Respondents.
and others.

...

Advocate for the Applicant : Mr. S.M. Vibhute, h/f Chate Amita D.
AG.P for the Respondents/State : Mr. P.S. Patil.
Advocate for Respondent No. 3 : Mrs. Vaishali S. Choudhari.

WITH

**REVIEW APPLICATION (STAMP) NO. 27627 OF 2019
IN WP 9192/2018**

Neha Vishnu Watane. ... Applicant.

Versus

The State of Maharashtra ... Respondents.
and others.

...

Advocate for the Applicant : Mr. S.M. Vibhute, h/f Chate Amita D.
AG.P for the Respondents/State : Mr. P. S. Patil.
Advocate for Respondent No. 3 : Mrs. Vaishali S. Choudhari.

**CORAM : S. V. GANGAPURWALA AND
MANGESH S. PATIL, JJ.**

DATE : 07/02/2020

PER COURT :

Mr. Vibhute the learned counsel for the review applicants submits that this Court while deciding the Writ Petitions relied upon the entries in the school record of Kalavati Bapurao Watane as 'Kolam Mannervarlu'. The learned counsel submits that 'Kolam Mannervarlu' cannot be construed as a contra entry. 'Kolam' and 'Mannervarlu' are the caste recorded in the same entry as Scheduled Tribe. In view of that it can only be considered as a mistake and not as a contra entry. The School record of Sitaram records caste as 'Munurvar'. 'Munurvar' is not a caste. In view of that the same cannot be construed to be a contra entry. There are other entries recording caste as 'Mannervarlu' in the school record of the near relatives of the petitioner. If all these entries are taken into consideration then the only irresistible conclusion that can be drawn is that the review applicants belong to 'Mannervarlu' Schedule Tribe. The validity is also issued to the near relative of the petitioner namely Raju. The same would attach credence to the case of review applicants.

2. Mr. Patil, the learned Additional Government Pleader supports the order and submits that the contra entry of 'Munurvar' appearing in the school record of Sitaram was suppressed while getting validity of Raju.

3. We have considered the submissions. The jurisdiction of this Court in entertaining a review petition is in a narrow compass. A Review Application cannot be treated as an appeal in disguise.

4. While dismissing the writ petitions we observed that the school record of the petitioners' father Vishnu records caste as 'Kolam Mannervarlu' so also in the school record of Kalawati Bapurao Watane, the caste is recorded as Hindu 'Kolam Mannervarlu'. Kalawati is the real sister of Sitaram. In Sataram's school record the caste is recorded as 'Munurvar'. These are old entries of the year 1956-1957. These entries have high probative value. It has also come on record that while issuing validity to Raju the contra entries in the school record of Sitaram was not brought to the notice of the Committee.

5. Considering the totality of the documents and the circumstances on record we had dismissed the writ petitions. The Scrutiny Committee had taken a plausible view. In the light of that the review applications are dismissed, however with no orders as to costs.

(MANGESH S. PATIL, J.)

(S. V. GANGAPURWALA, J.)

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