

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition NO. 12779 OF 2018

Rahul Subhash Thakur (Pawar) ...Petitioner
Versus
State Of Maharashtra And Ors. ...Respondents

....

Mr. Rushikesh C. Barge, Advocate for the Petitioner.

Mr. S.S. Panchapor, AGP, for Respondent Nos.1 to 4 – State.

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**CORAM : K.K. TATED &
SARANG V. KOTWAL, JJ.**

DATE : 06th FEBRUARY, 2020

PC.

1. The Petitioner is challenging the order dated 12.1.2009 passed by the Scheduled Tribe Certificate Scrutiny Committee, Nashik Division, Nashik.

2. Admittedly, the impugned order was passed on 12.1.2009 and this Petition is filed in the year 2018. There is absolutely no explanation as to why the Petitioner had not challenged the impugned order with due diligence within a reasonable time. The only explanation tried to be offered by the Petitioner is in paragraph-5, termed as ‘concluding paragraph’. Said paragraph-5 reads thus :

“5. The Impugned Judgment and Order dt. 12th January, 2009. As the petitioner was not availing the benefit of the Caste Certificate not he was proposed to take the one in the recent future immediately after the order was passed hence the petitioner did not challenged the Impugned Order. The Petitioner further submit that, the Petitioners/Petitioner thereafter consulted their/his Advocate. Taking into consideration the time required for this, the Petitioners are / Petitioner is approaching this Honourable Court without any laches or negligence on his part. Hence this petition is filed within the period of limitation.”

3. Even considering the averments in this paragraph-5, we are not satisfied that the Petitioner has made out any case inviting indulgence of this Court to entertain this Petition.

4. Considering the delay and laches committed by the Petitioner in approaching the Court, we are not inclined to entertain this Petition. Hence, Writ Petition is dismissed.

(SARANG V. KOTWAL, J.)

(K.K. TATED, J.)

Deshmane (PS)