

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT NAGPUR, NAGPUR.

...
WRIT PETITION NO. 5269 OF 2022

Ku. Usha Ramchandra Kumbhare
(Mrs. Usha Pradeep Raut)

..Petitioner

versus

1) State of Maharashtra and others ..Respondents

Mr. S.R. Narnaware, Advocate for petitioner

Mr. M.K. Pathan, Assistant Government Pleader for
respondents 1 to 3

...

CORAM: DIPANKAR DATTA, CJ
& NITIN SAMBRE, J.

DATED : 6th September, 2022.

P.C. :

1) After hearing progressed to substantial length and realizing that relief as claimed in the writ petition may not be granted to the petitioner unless the invalidation order of tribe claim dated 16th February, 2022 of the relevant Scrutiny Committee is set aside, Mr. S.R. Narnaware, learned counsel for the petitioner seeks leave to withdraw the writ petition. He also seeks liberty to move this Court afresh.

2) While we have no reservation in granting the petitioner liberty to apply afresh, we need to observe that the petitioner will not be at liberty to seek the relief claimed in this writ petition by instituting a fresh writ petition, unless he

challenges the order of the Scrutiny Committee and obtains an order of quashing thereof from this Court.

3) This writ petition stands dismissed as withdrawn. No costs.

4) However, liberty is granted to the petitioner to challenge the order dated 16th February, 2022 in an appropriate proceeding, in accordance with law, and to seek appropriate declaratory and consequential relief.

[JUDGE]

[CHIEF JUSTICE]

sahare