

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

REVIEW PETITION NO. 63 OF 2023
IN
WRIT PETITION NO. 2712 OF 2019

Vandana Raghunath Lohar. ... Review Petitioner.
V/s.
The State of Maharashtra and others. ... Respondents.

Ms.Neha Nagotanekar for the Petitioner.
Ms.R.A.Salunkhe, AGP for the Respondents.

SANJAY
KASHINATH
NANOSKAR

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CORAM : NITIN JAMDAR, AND
SANDEEP V. MARNE, JJ.

DATE : 4 September 2023.

P.C. :

Heard learned counsel for the parties.

2. By this review petition, the Petitioner in Writ Petition No.2712/2019 seeks review of the order passed by this Bench on 6 June 2023. By this order Writ Petition No.2712/2019 and Writ Petition No.1129/2021 were disposed of.

3. The Review Petitioner had challenged the order passed by the District Caste Certificate Scrutiny Committee, Sangli dated 14 December 2018 invalidating her caste certificate.

4. Both the petitions were fully heard and after analyzing the evidence on record, the challenge to the order of the Scrutiny Committee was negated. Review is now sought on the ground of discovery of new material by a change of advocate. The new material being a ground that there was no coram of three members of the Scrutiny Committee while passing the impugned order.

5. The impugned order is dated 14 December 2018. Writ Petition was filed on 21 February 2019. The petition was adjourned on several occasions. Ad-interim relief was granted in the petition, which was continued. Writ Petition No.1129/2001 was filed by the Complainant against the Petitioner. The learned counsel for the Petitioner in Writ Petition No.1129/2021, who is present, makes a grievance that though the common order is being sought to be reviewed, this Petitioner is not made a party.

6. Even otherwise, we find no merit in the review petition. Nothing is stated as to how this ground now sought to be raised was not available earlier. The review petition itself says that this fact was evident from the roznama, yet this ground was not taken and never argued. This cannot be said to be a discovery of new material and that the Petitioner has acquiesced to the position and had not argued the point available and, thus, had given it up.

7. Review petition is accordingly rejected.

(SANDEEP V. MARNE, J.

(NITIN JAMDAR, J.)