



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

MISCELLANEOUS CIVIL APPLICATION NO. 650 OF 2024

IN

WRIT PETITION NO. 1927 OF 2014 (D)

(Dr. Samata Wamanrao Warudkar ..vs.. The State of Maharashtra, through its Secretary, Ministry of Health, Mantralaya, Mumbai and others)

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

Court's or Judge's orders

Mr. S.R. Narnaware, Counsel for the applicant/petitioner,
Mr. N.S. Rao, A.G.P. for respondent Nos.1, 2 and 5.

CORAM : NITIN W. SAMBRE &
ABHAY J. MANTRI, JJ.

DATED : 05-08-2024

The present application is filed by the original petitioner seeking review of the judgment passed by this Court dismissing the petition. The review is sought mainly on the ground that the petitioner having denied the relationship with Narayan, this Court committed an error in relying on the document of Narayan. The fact was before the Committee.

2. It is claimed that the mandate provided in the judgment of *Kumari Madhuri Patil and another v. Addl. Commissioner, Tribal Development and others* reported in (1994) 6 SCC 241, particularly observations made in paragraph 15 mandates the committee to deal with such denial of relationship.

3. As against above, Mr. N.S. Rao, learned Assistant Government Pleader would urge that the application is devoid of any error apparent on the face of record.

4. We have appreciated the submissions.

5. The fact remains that though the petitioner has come out with a plea of the denial of relationship with Narayan, however, it is categorically mentioning the name of Narayan in the family tree in the reply which is produced at Page No.54 of the petition by the petitioner herself.

6. Apart from above, during the enquiry carried out by the vigilance cell, each of the relatives of the petitioner have narrated the family tree by there own choice and convenience.

7. The Committee, in such an eventuality, has rightly recorded the findings of fact and this Court rather accepted the findings of fact in view of the provisions of Section 8 of the Maharashtra Scheduled Castes, Scheduled Tribes, De-Notified Tribes (Vimukta Jatis), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of Issuance and Verification of) Caste Certificate Act, 2000.

8. That being so, no error on the face of record is noticed. The application, in our opinion, is devoid of merit, stands rejected.

9. The interim order granted shall continue to operate till 31-8-2024.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)

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