

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

WRIT PETITION NO. 7456 OF 2015

Vijaykumar Bansilal Rathi .. Petitioner

Versus

The State of Maharashtra and Another .. Respondents

Shri M. M. Bhokrikar, Advocate for the Petitioner.

Shri P. P. More, A. G. P. for the Respondent / State.

**CORAM : S. V. GANGAPURWALA AND
V. K. JADHAV, JJ.**

DATE : 27TH JULY, 2015.

PER COURT :

1. Mr. Bhokrikar, the learned counsel for the petitioner states that, petitioner has assailed the order of compulsory retirement before the Hon'ble Governor one year back, however, no steps are taken.

2. We have heard the learned A. G. P. who submits that, if the proceedings are tenable under some provisions of law then, the Hon'ble Governor shall decide the same.

3. Even otherwise the petitioner has a remedy before

the Maharashtra Administrative Tribunal to challenge the order of compulsory retirement.

4. In light of that also, we would not entertain the present petition, however, if the petitioner has a legal remedy to challenge the order of compulsory retirement before the Hon'ble Governor and the same is tenable before the Hon'ble Governor under the relevant statute, Rules or Manual having legal force then, we hope and trust that, the Hon'ble Governor would decide it expeditiously in accordance with the procedure prescribed under the relevant Rules. Writ petition is accordingly disposed of. No costs.

[V. K. JADHAV, J.]

[S. V. GANGAPURWALA, J.]

sam/July. 15