

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

WRIT PETITION NO. 1087 OF 2014

(Shri Shailesh s/o Panjabrao Mahure vs. The State of Maharashtra thr. its Secretary, Home
Department & Ors.)

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

Court's or Judge's orders.

Shri D.L. & R.L. Dharmadhikari, counsel for the
petitioner.

Shri A.D. Sonak, AGP for the respondents.

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**CORAM : SMT. VASANTI A. NAIK &
A.M. BADAR, JJ.
AUGUST 05, 2015.**

By this petition, the petitioner seeks a direction to the respondents to prepare the waiting list as per the provisions of the Maharashtra Public Service Commission Rules of Procedure, 2005, for recruitment of the Police Sub-Inspectors and direct the respondents to include the name of the petitioner after preparing a fresh waiting list.

Shri Sonak, the learned AGP raises a preliminary objection to the tenability of the writ petition on the ground that if the petitioner is aggrieved by non inclusion of his name in the select list or by the selection procedure followed by the respondents, the petitioner can approach the Maharashtra Administrative Tribunal (MAT), by filing an Original Application (AO). It is stated that the matter in the petition being a service matter, an OA would lie before the MAT under the provisions of Section 19 of the

Maharashtra Administrative Tribunals Act, 1985.

By upholding the preliminary objection raised on behalf of the respondents, we dispose of the writ petition with liberty to the petitioner to take appropriate steps, if so advised. The points raised in the petition are kept open. No order as to costs.

JUDGE

JUDGE

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