



Engineer-III (Irrigation Division), District Panchayat, despite the fact that the Respondent No. 6 has superannuated on 31.5.2015 after attaining the age of 60 years being born on 1.6.1955;

- (b) pending the hearing and final disposal of this petition, the Respondent No. 6 be restrained by an order of injunction of this Hon'ble Court from continuing in the services of the Respondents and occupying the post of Executive Engineer in P.W.D. Civil Division No. III (Irrigation).
- (c) or in the alternate, pending the hearing and final disposal of this petition this Hon'ble Court may be pleased to restrain the Respondent No. 6 from taking important administrative and financial decisions;
- (d) ad-interim order in terms of prayer clause (b) or (c) above be granted;
- (e) any other order or relief as this Hon'ble Court deems fit and proper be granted.”

2. The Apex Court in several judgments had held that PILs in respect of service matters should not be entertained. The Petitioner in this PIL is seeking a writ of quo-warranto on the ground that

Respondent No. 6 has superannuated on 31.5.2015 after attaining age of 60 years. The learned senior counsel Mr. Ram Apte, appearing on behalf of Respondent No. 6 has invited our attention to an order dated 29.7.2016 passed by the Chief Engineer, PWD, Dadra & Nagar Haveli, Silvassa, in which it is stated that Respondent No. 6 has already retired from the Government Services with effect from 31.7.2016 as per the corrected date of birth, which was corrected in the year 1982. We are, therefore, not inclined to entertain this PIL. Public Interest Litigation is dismissed in *limini*.

Sd/-

[Smt. SWAPNA S. JOSHI, J.]

Sd/-

[V. M. KANADE, J.]

Vinayak Halemath