

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 1323/2016

(SHRIRAM NAMDEO MULANDE **VERSUS** THE STATE OF MAHARASHTRA & OTHERS)

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

Court's or Judge's orders

Shri R.A. Haque, counsel for the petitioner.
 Shri I.J. Damle, A.G.P. for the R-1 & 2.
 Shri M.V. Bute, counsel for the R-3 & 4.

CORAM : SMT. VASANTI A NAIK AND
MRS. SWAPNA JOSHI, JJ.

DATE : NOVEMBER 15, 2016.

By this writ petition, the petitioner challenges the order of the Chief Executive Officer, Zilla Parishad Akola, dated 05.03.2014 cancelling the order granting selection grade to the petitioner, dated 29.02.2012.

The learned counsel for the respondents raise a preliminary objection to the tenability of the writ petition. It is stated that apart from the fact that the petition suffers from laches, the petitioner has not availed the alternate remedy of filing an appeal under Rule 14 of the Maharashtra Zilla Parishads District Services (Discipline and Appeal) Rules, 1964 and has rushed to this Court by filing the writ petition.

We uphold the preliminary objection raised on behalf of the respondents in regard to the existence of alternate efficacious remedy under Rule 14 of the Rules of 1964 and decline to entertain the writ petition.

The writ petition is disposed of with no order as to costs.

The petitioner is free to avail the alternate remedy in accordance with law.

The points raised in the petition are however,
kept open.

JUDGE

JUDGE

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