

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

WRIT PETITION NO. 1039 OF 2016

Yogesh Pandurang Dewkthe and others

-vs-

The State of Maharashtra, thr.its Secretary, Rural Development & Water Conservation
Department and others

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

Court's or Judge's Orders.

Mr. C.M.Samarth, counsel for the petitioners.
Mr. A.S.Fulzele, Addl.G.P.for the respondent No.1.
Mr. A.Y.Kapgate, counsel for the respondent Nos.3 and 4.

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

DATE : 22.12.2016.

By this writ petition, the petitioners challenge the notice dated 01/02/2016 asking the petitioners to show cause as to why their services as a laboratory assistants should not be terminated, as the appointments of the petitioners were irregular.

Though the petitioners were only asked to show cause to the notice issued by the respondent-Zilla Parishad, the petitioners have rushed to this court, challenging the show cause notice. It was necessary for the petitioners to reply to the show cause notice, which the learned counsel for the petitioners states that they have replied. If the petitioners have replied to the notice and no action is taken against the petitioners by the respondent-Zilla Parishad, the petitioners should not have approached this court. The petition is premature. It is also possible that the respondents may not take any action against the petitioners after considering the explanation of the petitioners.

Even if the respondents take an adverse action against the petitioners, the petitioners would be entitled to take up appropriate proceedings. However, since the petition is premature, the same cannot be entertained.

In view of the aforesaid, the writ petition is disposed of with no order as to costs. The points raised in the petition are, however kept open.

JUDGE

JUDGE

KHUNTE