

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

WRIT PETITION NO. 1326 OF 2016

Ms Rajeshree Mandhukar Mokalkar

-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. O.L.Gupta, counsel for the petitioner.
Mr. A.S.Fulzele, Addl.G.P.for the respondent No.1.

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

DATE : 22.12.2016.

By this writ petition, the petitioner challenges the notice dated 01/02/2016 asking the petitioner to show cause as to why her services as a laboratory assistant should not be terminated, as the appointment of the petitioner was irregular.

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

Even if the respondents take an adverse action against the petitioner, the petitioner 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