

**IN THE HIGH COURT OF JUDICATURE
AT BOMBAY**

BENCH AT AURANGABAD.

WRIT PETITION NO.10806 OF 2016

Sonelben D/o Dadabhai
Pawar ... Petitioner.

Versus

The State of Maharashtra
and others. ... Respondents.

...

Mr.Patil Milind M.(Beedkar), advocate for the
petitioner.
Mr.P.S.Patil, Additional Government Pleader for
the State.
Mr.V.D.Salunke, advocate for Respondent No.4.

...

**WITH
WRIT PETITION NO.12509 OF 2016**

Vranda D/o Pralhadrao Sadgure ... Petitioner.

Versus

State of Maharashtra
through Secretary Law and
Judiciary Department,
Mantralaya, Mumbai and
others. ... Respondents.

...

Mr.R.G.Joshi, advocate for the petitioner.
Mr.P.S.Patil, Additional Government Pleader for
the State.
Mr.V.D.Salunke, advocate for Respondent No.4.

...

**CORAM : S.V.GANGAPURWALA AND
SMT.VIBHA KANKANWADI, JJ.**

Date : 02.11.2017.

PER COURT :

1. Learned Additional Government Pleader and Mr.Salunke, learned counsel raise a preliminary objection that the petitioners have remedy before the Maharashtra Administrative Tribunal.

2. Mr.Patil M.M.(Beedkar), learned counsel submits that alternate remedy is no bar for this Court to invoke its jurisdiction under Article 226 of the Constitution of India. Rule of alternate remedy is certainly a rule of self-restraint.

3. The appointments of the candidates are already made. All the aspects raised can be considered by the Tribunal.

4. In light of the above, we dispose of

the Writ Petitions with liberty to the petitioners to approach before the Maharashtra Administrative Tribunal.

5. All contentions of the respective parties are kept open.

6. The Tribunal where the proceedings are filed shall consider the time spent in prosecuting the Writ Petitions. No costs.

(SMT.VIBHA KANKANWADI, J.) (S.V.GANGAPURWALA, J.)

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