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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.14336 OF 2016
WITH
CIVIL APPLICATION NO.301 OF 2017

Shri Dnyandeo Eknath Gorve ... Petitioner

Versus

The State of Maharashtra and Ors. ... Respondents

Mr. Nitin Dalvi i/by Mr. Ujwal R. Agandurve for the Petitioner.

Mr. Javed R. Shaikh for the Applicant in CAW/301/2017 and for Respondent No.1 in WP/14336/2016.

Mr. V.P. Malvankar, AGP 'A' Panel for the Respondent – State.

**CORAM : A.S. OKA &
ANUJA PRABHUDESSAI, JJ.**

DATE : 3rd FEBRUARY, 2017

PC.

1 Both the substantive prayers in this Petition are for seeking a writ of mandamus. Before invoking the writ jurisdiction of this Court under Article 226 of the Constitution of India for seeking a writ of mandamus, the petitioner has not approached the concerned Authorities calling upon them to take necessary action. The learned counsel appearing for the petitioner submits that the petitioner is a public servant. Nothing prevents the petitioner from approaching the

concerned Authorities with a representation. Only if the concerned Authorities fail to take action that the petitioner can invoke jurisdiction of this Court under Article 226 of the Constitution of India. Subject to what is observed above, the Petition is disposed of. All contentions on merits are kept open. Civil Application No.301 of 2017 does not survive and the same is disposed of.

(ANUJA PRABHUDESSAI, J)

(A.S. OKA, J)