

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 10252 OF 2017

Mr. Nilesh S/o. Gopal Puranik ... Petitioner.

V/s.

The State of Maharashtra & Ors. ... Respondents.

Mr. Deepak C. Natu, Advocate i/by M/s. N. Deepak and Co.
Advocates for the Petitioner

Ms. R. M. Shinde, AGP for the State-Respondent Nos. 1 & 2.

Mr. N. R. Bubna, Advocate for the Respondent No.3.

**CORAM : B. R. GAVAI AND
SMT. BHARATI H. DANGRE, JJ.**

DATE : FEBRUARY 26, 2018

P.C. :

1 The Petitioner has approached this court, being aggrieved by the orders dated 21.07.2017 and 20.06.2017 by which the Respondent through Education Inspector has canceled the approval granted to the service / appointment of petitioner.

2 From the material placed on record it would reveal that it is the petitioner who had made complaint to the authorities that though the petitioner was appointed in June

2013, his appointment was shown with retrospective effect from the year 2011. The material placed on record would reveal that, it was on the complaint of the petitioner / applicant that for such an illegal act he was required to pay huge amount to one Mr. Gaonkar, an employee of the Education Department. On the basis of the petitioner's complaint, the said Gaonkar has been suspended and not only D.E., but the criminal prosecution is also initiated against him. It can thus be seen that, even according to his own admission, the petitioner had participated in illegal activities in getting such appointment and paid substantial amount to the employee in the Education Department.

3 A writ jurisdiction under Article 226 cannot be permitted to be used to protect the person who himself is a party to the illegal act.

4 The Petition, therefore, deserves to be rejected. Rejected accordingly.

(SMT. BHARATI H. DANGRE, J.)

(B. R. GAVAI, J.)

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