

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

WRIT PETITION NO.13147 OF 2018

**Maharashtra State Gram
Sevak Sanghatana through
its Secretary Shri. Prashant
Samadhan Jamode**

..Petitioner

Versus

The State of Maharashtra and another

..Respondents

Mr. N. P. Dalvi, Advocate for the Petitioner.

Mr. Y. A. Khochare, AGP for Respondent No.1.

Mr. Gaurav Bandiwadekar, Advocate for Respondent No.2.

Mr. Vikram Pai, Advocate for Respondent No.4.

CORAM : B. R. GAVAI &

N. J. JAMADAR, JJ.

DATE : 4th JANUARY, 2019

P.C.

1] The Petitioner has approached this Court with a grievance that the Respondent No.2 is posted as Deputy CEO, which post can be occupied only by a person having selection grade. It is the case of the Petitioner that Respondent No.2 is not having selection grade and as such, he could not be posted on such post.

2] The Petition is filed by one Sanghatana. In Service Jurisprudence, the grievance can be entertained of a person who is aggrieved.

3] In that view of the matter, only on the basis of the apprehension of the Petitioner that no person who is entitled to occupy the post, will approach the Court or Tribunal, the Petition at the behest of busy body cannot be entertained. In that view of the matter, we are not inclined to entertain the present Petition at the behest of the present Petitioner. Accordingly, the Petition is rejected.

4] Needless to state that if any aggrieved person has a grievance is always at liberty to take recourse to the remedy available in law.

[N. J. JAMADAR, J.]

[B. R. GAVAI, J.]