

BDP-SPS

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

WRIT PETITION NO. 11860 OF 2018

Tanuja Ajinath Kutal	..Petitioner
Versus	
State of Maharashtra and Others	..Respondents

Mr. S.S. Prabhune, Advocate for the Petitioner.

Mrs R.A. Salunkhe, AGP for Respondent Nos. 1, 2 and 4

**CORAM: B. R. GAVAI &
N. J. JAMADAR, JJ.**

DATE: 12th FEBRUARY, 2019

P.C.:-

1] Petitioner has approached this Court being aggrieved by the Resolution passed by Respondent No.5 – Grampanchayat, thereby resolving that the Petitioner, who is holding the Office of Police Patil, is incompetent and against whom criminal offences are also registered and therefore her appointment should be cancelled.

2] The learned Counsel for the Petitioner submits that the Resolution is unauthorized one inasmuch as the Grampanchayat has

no jurisdiction to consider any aspect with regard to appointment of Police Patil.

3] We find that the Petition is wholly premature. The appointing authority is a Sub-Divisional Officer and therefore authority to terminate the services of the Petitioner is only with the Sub-Divisional Officer. Undisputedly, the said authority has not taken any decision to terminate the services of the Petitioner.

4] In that view of the matter, we find that the Petition is totally premature in nature and, in any case, even if Sub-Divisional Officer takes any action against the Petitioner, the appropriate remedy for the Petitioner is to approach the learned Maharashtra Administrative Tribunal and not this Court.

5] With the aforesaid observations, Petition is disposed of.

(N. J. JAMADAR, J.)

(B. R. GAVAI, J.)