

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

907 WRIT PETITION NO.5297 OF 2020

BABU MAHADU GORE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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None appears for the petitioner.
Mr. A.B. Chate, A.G.P. for respondent / respondent.

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CORAM : **S.S. SHINDE &
SHRIKANT D. KULKARNI, JJ.**

DATE : 18 September 2020.

ORDER :

1. When the matter was called out in the morning session, none appeared for the petitioner. Even in afternoon session none appears for the petitioner.

2. This petition is filed under Article 226 of the Constitution of India with the following substantive prayer :

B] By way of passing appropriate writ, order or directions in the like nature, the Respondents No.2 to 4 may kindly be directed to decide the Representations dtd. 20.09.2017, 29.06.2019 and 03.01.2020 submitted by petitioner regarding payment of extra duty time hours / overtime as well as the payment of arrears / difference amount in the salary against the post of Choukidar instead of Labour, as early as possible within stipulated period.

3. We have our own doubts whether such prayer can be favourably considered while exercising writ jurisdiction. However, without entering upon the merits, we direct respondent Nos.2 to 4 and in particular respondent

No.3 to look into the said Representations and take the decision, if already not taken, as expeditiously as possible, however, within four months from today.

4. Needless to observe that, we have not expressed opinion on merits of the matter or about availability of the remedy to the petitioner and it is for the respondent Nos.2 to 4 and in particular respondent No.3 to take appropriate decision in accordance with law on such Representations. In case copy of Representation is not traceable in the office of the third respondent, it may be open for the third respondent to call the copy of the said Representation from the petitioner and then take the decision on its own merits in accordance with law.

5. With the above observations, Writ Petition stands disposed of.

6. The parties to act upon authenticated copy of this order.

(SHRIKANT D. KULKARNI, J.)

(S.S. SHINDE, J.)

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