

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.4879 OF 2021

Raju Mahadeo Chide

.. PETITIONER

VERSUS

The State of Maharashtra
and others

..RESPONDENTS

.....

Mr.D.A.Karnik, Advocate for the petitioner
Mr.M.M.Nerlikar, A.G.P. for respondent no.1 State
Mr.Shrimant Mundhe, Advocate for respondent nos.2 and 3

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CORAM : DIPANKAR DATTA, CJ &
MANGESH S. PATIL, J.

DATE : 30/09/2021

PC. :-

1] The main prayer in this writ petition reads as follows :

“B] By issue writ of mandamus or any other writ, like nature, the respondent no.2 & 3 may kindly be directed to implement Government resolution dated 01.03.2014 (Exh.D herewith) and to absorb the petitioner as ‘untrained primary teacher’.”

2] Although the petitioner has prayed for mandamus, institution of the present proceeding is not preceded by any notice demanding justice from the respondents. Having regard to the decisions of the Supreme Court reported in AIR 1975 SC 460 (**Saraswati Industrial Syndicate Ltd. Vs. Union of India**), AIR 1976 SC 1654 (**State of Haryana vs. Chanan Mal**) and (2013) 5 SCC 470 (**Rajasthan State Industrial and Investment Development Corporation vs. Diamond and Gem Development Corporation Ltd.**), we are not inclined to entertain this writ petition.

3] That apart, it appears that the petitioner had earlier moved W.P. No.4643 of 2014 before this Court with a prayer for his absorption as a para-teacher. Even, the said writ petition was disposed of by an order dated 17th June 2014 by a coordinate Bench granting liberty to the petitioner to make a representation and such representation was required to be considered on its own merits, in accordance with law, expeditiously and preferably within 3 months. The petitioner has not disclosed in this writ petition as to whether he availed the liberty granted by the coordinate Bench and, if yes, the fate of his representation.

4] For the reasons aforesaid, this writ petition stands dismissed. No costs.

5] We, however, grant liberty to the petitioner to demand justice from the respondents on the present grievance first, and it is only (and only if) his

grievance is not addressed by the respondents that he may approach this Court once again.

[MANGESH S. PATIL, J.]

[CHIEF JUSTICE]

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