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

WRIT PETITION NO. 2723 OF 2021

ASHOK ROASAHEB UTTARE ..PETITIONER
VS.
STATE OF MAHARASHTRA & ORS. ..RESPONDENTS

Mr. Sagar Kasar a/w. S.P. Patil for the petitioner.
Mr. P.V.N. Rajan, AGP for the State.
Mr. B.A. Lawate for the respondent No.4.

CORAM : M.S.KARNIK, J.

DATE : AUGUST 12, 2021

P.C.

Heard learned counsel for the petitioner.

2. An objection is raised by learned counsel for the respondent No.4 that the Writ petition against the impugned order is not tenable and that the petitioner has to approach the Maharashtra Administrative Tribunal.

3. Learned counsel for the petitioner submits that already two and half years have elapsed since the time respondent No.4 was appointed. He submits that he had approached the Tribunal on the previous occasion when the matter was remanded to the Sub-Divisional Officer ('SDO' for short). According to him, the order passed by the SDO is erroneous.

4. Heard. The remedy for the petitioner is to approach the Maharashtra Administrative Tribunal as the issue pertains to the appointment of 'Police Patil'. Learned counsel for the petitioner submitted that the respondent no.4 is enjoying the benefits of the post of 'Police Patil' for the last two and half years. It is for the petitioner to file an appropriate application before the Tribunal in the first instance and thereupon it is for the petitioner to request the Tribunal for expeditious disposal, whereupon it is for the Tribunal to consider the request made.

5. Keeping all contentions open, with liberty to the petitioner to approach the Tribunal, the Writ Petition is disposed of.

(M.S.KARNIK, J.)