

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

943 WRIT PETITION NO.10020 OF 2021

RAMESH KHANDU BACHEVAD

VERSUS

THE STATE OF MAHARASHTRA THR ITS SECRETARY AND OTHERS

...

Advocate for Petitioners : Mr. Sontakke Sandeep B.

AGP for Respondent Nos. 1 to 4 : Mrs. R. P. Gaur

**CORAM : MANGESH S. PATIL &
SANDEEP V. MARNE, JJ.**

DATE : 28.07.2022.

PER COURT :

We have heard both the sides.

2. By way of present petition, the petitioner seeks the relief of grant of advance increment for excellent work on the basis of confidential report. Admittedly, the petitioner is an employee of the State Government. There is a remedy available to the petitioner under the Administrative Tribunals Act, 1985 to approach the Maharashtra Administrative Tribunal. In the judgment of **L. Chandra Kumar Vs. Union of India and others; (1997) 3 Supreme Court Cases 261**, the constitution bench of the Supreme Court has held that the employees cannot directly approach the High Courts seeking remedies and that the Administrative Tribunal would be the courts of first instance in respect of areas of laws for which they are constituted.

3. In view of the matter, we are not inclined to entertain the petition. The petitioner will however has the remedy to file an appropriate proceedings before the Maharashtra Administrative Tribunal.

4. The Writ Petition is disposed of.

(SANDEEP V. MARNE J.)

mkd/-

(MANGESH S. PATIL, J.)