

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

942 WRIT PETITION NO.10019 OF 2021
SAYAJIRAO VANAJIRAO WAVHAL AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Sontakke Sandeep B.
AGP for Respondent Nos. 1 to 3 : Mr. A.S. Shinde

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 petitioners seek the relief of grant of advance increment for excellent work on the basis of confidential reports. Admittedly, the petitioners are employees of the State Government. There is a remedy available to the petitioners 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 petitioners will, however, have the remedy to file an appropriate proceedings before the Maharashtra Administrative Tribunal.

4. The Writ Petition is disposed of accordingly.

(SANDEEP V. MARNE J.)

(MANGESH S. PATIL, J.)

mkd/-