

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

934 WRIT PETITION NO.8640 OF 2021

**VIJAYALAXMI DHONDIRAM BALWANT
VERSUS
THE STATE OF MAHARASHTRA & OTHERS**

...
Advocate for the petitioner : Mr. S.S.Thombre
AGP for the respondent-State : Mr.S.G.Sangle
...

**CORAM : RAVINDRA V. GHUGE &
S.G.DIGE, JJ.**

DATE : 06.04.2022

P.C. :

1. We have extensively heard this matter.
2. We have noted that the petitioner has not approached the learned Maharashtra Administrative Tribunal at Aurangabad with the grievance that he has voiced before us. Based on the judgment of the learned Full Bench of the Maharashtra Administrative Tribunal, at Aurangabad dated 2nd February, 2017, this petition has been filed on 21-05-2021, after the Competent Authorities started implementing the directions issued by the learned Full Bench of the Tribunal.

3. Considering the effect of Rule 5(2) as introduced by the amendment to the Maharashtra Sub-Services Departmental Examinations Rules, 1988, we have expressed our disinclination to entertain this petition, filed directly in this Court.

4. The learned Advocate for the petitioner submits, on instructions, that the petitioner would approach the Maharashtra Administrative Tribunal at Aurangabad.

5. In view of the above, this petition is disposed off as withdrawn with liberty to approach the learned Maharashtra Administrative Tribunal, at Aurangabad. Nevertheless, further developments that may occur in relation to the service conditions of this petitioners, would be subject to the result of the decision of the Maharashtra Administrative Tribunal.

6. All the contentions of the petitioners are kept open including interpretation of the Rules and any

observation occurring in this order would not influence the Maharashtra Administrative Tribunal.

[S.G.DIGE, J.]

[RAVINDRA V. GHUGE, J.]

DDC