

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
914 WRIT PETITION NO.7227 OF 2022

BHUVANESHWARI HINTENDRA THAKUR MINOR THROUGH FATHER
AND NATURAL GUARDIAN HITENDRA SITARAM THAKUR
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

Mr. Sagar S. Phatale, Advocate for the petitioner
Mr. S. G. Sangle, AGP for the respondents/State

CORAM : RAVINDRA V. GHUGE &
ANIL L. PANSARE, JJ.

DATE : 13th July, 2022

P. C.

1. We have heard the learned advocates for the respective sides.

2. The learned advocate for the petitioner admits that the petitioner has tendered her claim through her biological father on 06-05-2022 and in less than 45 days, this petition has been filed on 21-06-2022 seeking issuance of a Writ of

Mandamus against the committee to decide the claim within a time frame.

3. We wish to record our displeasure considering the tendency of the petitioner who seeks issuance of a Writ of Mandamus within 45 days of filing of such proceedings, when it does not call for any debate that the Writ of Mandamus is to be issued to command an authority to exercise the jurisdiction duly vested in it by law after it has declined to exercise it's jurisdiction for a long time rendering the litigant remedy less. We are, therefore, not inclined to entertain this petition.

4. The learned advocate for the petitioner submits that the petitioner is making a request to the committee to consider the claim of the

petitioner expeditiously.

5. The learned advocate for the committee submits that the committee is already neck-deep in the matters which are under a time frame due to the orders of this court. Nevertheless, the committee is giving preference to the cases involving the students.

6. In view of the above, this petition is disposed off.

[ANIL L. PANSARE, J.] [RAVINDRA V. GHUGE, J.]