

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

173 WRIT PETITION NO.10329 OF 2022

MADHAV GYANBAO TARFE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND
OTHERS

...
Advocate for Petitioners : Mr. Maney V. M.
A.G.P. for respondent Nos. 1 and 2. : Mr. P.K. Lakhotiya
Advocate for respondent Nos. 3 and 4: Mr. P.P. Dama
.....

**CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.
DATED : 13th OCTOBER, 2022.**

PER COURT :-

1. The petitioners have preferred their representation on 01.09.2022 and this petition is filed within 25 days seeking directions that their representation be decided within a time frame.

2. A writ of mandamus is to be issued with reference to such an Officer, who is a statutory authority vested with jurisdiction by law and who refuses to exercise his jurisdiction and refuses to discharge his duties. Section 10 of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005, enables this court to initiate action against such an officer.

3. By filing a representation on 01.09.2022 and filing a petition on 25.09.2022 alleging that the authority is not discharging his duties, is an abuse of the process of law.

4. This petition, therefore, is dismissed.

5. Nevertheless, if respondent Nos. 3 and 4, Zilla Parishad, are considering similar cases, the case of the petitioners be also considered alongwith the others.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE , J.)

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