

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

WRIT PETITION NO.11310 OF 2022

**SUNANDA NARAYAN BIRALE ALIAS SUNANDA BHARAT
PASTAPURE**

VERSUS

**THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS**

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Advocate for the Petitioner : Shri Patil Indrale Anand V.
AGP for Respondent 1 : Ms.Rashmi P. Gaur

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**CORAM : RAVINDRA V. GHUGE
&
SANJAY A. DESHMUKH, JJ.**

DATE :- 25th November, 2022

Per Court :-

1. The petitioner seeks a Writ of Mandamus against the respondents. The petitioner has filed the representation on 07.10.2022 and on the 10th day, this petition is filed on 17.10.2022 praying for a Writ of Mandamus. There is no statement made in the petition that the petitioner has availed of any statutory remedy and despite his best efforts, the authority refuses to exercise jurisdiction vested in it by law. In fact, a statement is made that the petitioner has not filed any other proceeding before any Court touching this subject.

2. We are afraid that a Writ of Mandamus for directing the authorities to exercise jurisdiction vested in it by law, cannot be issued when the application is nine days old and on the 10th day, the petition is filed. This would create unnecessary pressure on the officers and such orders are likely to undermine their confidence.

3. In view of the above, we refuse to exercise our jurisdiction and this Writ Petition is dismissed. Nevertheless, we expect respondent No.2/authority to consider the representation with promptitude.

kps

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)