

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 6175 OF 2022
WITH
INTERIM APPLICATION NO. 9861 OF 2022
IN
WRIT PETITION NO. 6175 OF 2022**

Bhagwat S/o. Ratan Bighot ... Petitioner

Versus

The State of Maharashtra & Ors. ... Respondents

.....

Mr.Vaibhav Pawar h/f. Mr. S.S. Tope for the Petitioner.

Mr. A.P. Vanarase, AGP for the State.

.....

**CORAM : NITIN JAMDAR AND
SHARMILA U. DESHMUKH, JJ.**

DATE : 15 NOVEMBER 2022

P.C. :

Heard the learned Counsel for the parties.

2. The Petitioner has sought two reliefs. Firstly, a show cause notice issued to the Petitioner by Respondent No.3 with a prayer not to take any adverse action against the Petitioner and secondly, a direction to Respondent No. 5- Scrutiny Committee to decide the caste claim proposal of the Petitioner as early as possible. The interim application taken out by the Petitioner to place on record that pursuant to the show cause notice, action is taken against the Petitioner.

3. The Petitioner is a government servant working with Respondent No.3- Deputy Director, Health Services, Pune Circle. Therefore, the forum for the Petitioner in respect of the service disputes is the Administrative Tribunal, which is the Court of first instance as per constitutional scheme. In spite of this clear legal position, the petition is filed in this Court. As regards the direction to Respondent No. 5- Scrutiny Committee is concerned, Respondent No.5 is a Scrutiny Committee at Aurangabad.

4. In light of this position, the petition as presented before us cannot be entertained and is accordingly disposed of.

5. In view of disposal of the writ petition, the interim application does not survive and is accordingly disposed of.

(SHARMILA U. DESHMUKH, J.)

(NITIN JAMDAR, J.)

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