

AGK

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

WRIT PETITION NO. 8411 OF 2022

Anant Ashroba Jogdand ...Petitioner

V/s.

The State of Maharashtra
through Secretary, Home
Department & Ors. ...Respondents

**WITH
WRIT PETITION NO. 8414 OF 2022**

Anil Bhaskar Pakhare ...Petitioner

V/s.

The State of Maharashtra
through Secretary, Home
Department & Ors. ...Respondents

**WITH
WRIT PETITION NO. 8415 OF 2022**

Sagar Vitthal Londhe ...Petitioner

V/s.

The State of Maharashtra
through Secretary, Home
Department & Ors. ...Respondents

**WITH
WRIT PETITION NO. 8412 OF 2022**

Nitin Ashok Nangare & Ors. ...Petitioners

V/s.

The State of Maharashtra
through Secretary, Home

Department & Ors.

...Respondents

**WITH
WRIT PETITION NO. 8413 OF 2022**

Ramdas Shravan Padle

...Petitioner

V/s.

The State of Maharashtra
through Secretary, Home

Department & Ors.

...Respondents

Mr. P. B. Gujar for the petitioner in WP/8411/2022,
WP/8414/2022 & WP/8415/2022.

Ms. Darshna Naval with Mr. Pranav Avhad i/by Mr.
Suraju Sawardekar for the petitioner in WP/8412/
2022 & WP/8413/2022.

Mr. P. P. Kakade, Government Pleader with Mr. M.
M. pabale, AGP for State in WP/8411/2022,
WP/8415/2022, WP/8412/2022 & WP/8413/2022.

Mr. P. P. Kakade, Government Pleader with Mr. A. J.
Patel, AGP and Mr. M. M. Pabale, AGP for State in
WP/8414/2022.

**CORAM: DIPANKAR DATTA, CJ &
M. S. KARNIK, J.**

DATE: JULY 14, 2022

P.C.:

Writ Petition No. 8411 of 2022:

1. An order dated 6th May 2022 issued by the respondent No.2, Additional Director General of Police, Maharashtra State, Mumbai is under challenge in this petition. Such order was passed by the respondent no.2 in terms of an order passed by

the Maharashtra Administrative Tribunal (hereafter "the Tribunal", for short).

2. The petitioner was not a party to the proceedings before the Tribunal. The impugned order of the respondent no.2, having been passed in terms of an order passed by the Tribunal, the writ jurisdiction of this Court cannot be invoked directly. Any challenge to the impugned order, or to the order of the Tribunal, must be laid first before the Tribunal. This writ petition, at this stage, before this Court is not maintainable.

3. The writ petition is dismissed with liberty to the petitioner to approach the Tribunal in accordance with law. No costs.

4. All contentions are left open.

Writ Petition Nos. 8414, 8415, 8412 & 8413 of 2022:

1. In all these writ petitions, the order under challenge is common, i.e., the order dated 11th April 2022 passed by the Maharashtra Administrative Tribunal, Mumbai (hereafter "the Tribunal", for short) while disposing of a batch of original applications.

2. None of the petitioners were parties to the proceedings before the Tribunal. Since the petitioners are aggrieved by the order dated 11th April 2022, their remedy lies in approaching the Tribunal by presenting an appropriate application, either original or review.

3. The view that we are taking finds support from the decisions of the Supreme Court reported in (1997) 6 SCC 473 (**K. Ajit Babu & Ors vs. Union of India & Ors.**) and (2007)

14 SCC 54 (**Rama Rao vs. M. G. Maheshwara Rao & Ors.**)

4. These writ petitions are not entertained and stand dismissed with liberty to the petitioners to approach the Tribunal in accordance with law. No costs.

5. All contentions are left open.

(M. S. KARNIK, J.)

(CHIEF JUSTICE)

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