

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION (WP) NO. 6495/2019

DHANRAJ S/O KISHANRAO PENDOR ...VS...THE STATE OF MAHARASHTRA AND OTHERS
WITH

WRIT PETITION (WP) NO. 6496/2019

DATTA S/O SADASHIV KHUDE ...VS...THE STATE OF MAHARASHTRA AND OTHERS
WITH

WRIT PETITION (WP) NO. 6497/2019

LAXMAN S/O MOTIRAM WAKODE ...VS...THE STATE OF MAHARASHTRA AND OTHERS
WITH

WRIT PETITION (WP) NO. 6498/2019

PARMESHWAR S/O DIGAMBAR DESHMUKHE...VS...THE STATE OF MAHARASHTRA AND OTHERS
WITH

CONTEMPT PETITION (CP) NO. 153/2020

*PARMESHWAR S/O DIGAMBAR DESHMUKHE ...VS... SHRI. VINOD PATIL, THE ADDITIONAL TRIBAL
 COMMISSIONER AND ANOTHER*

Office Notes, Office Memoranda of
 Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. P.S. Wathore, Advocate for the petitioners in all petitions
 Ms. Tajwar Khan, Assistant Public Prosecutor for respondents in all petitions

CORAM : A. S. CHANDURKAR AND M. W. CHANDWANI, J.J.

DATED : 18/10/2022

The petitioners seek relief based on the advertisement issued by the Additional Commissioner, Tribal Development Department, Amravati. The said advertisement sought to appoint teachers with the Tribal Development Department.

2. On behalf of the respondents a preliminary objection is raised to the effect that the grievance of the petitioners would have to be raised before the Maharashtra Administrative Tribunal, since the advertisement has been issued by the Additional Commissioner, Tribal Development Department, Amravati.

3. We find that the aforesaid preliminary objection deserves to be upheld since the advertisement has been issued by respondent no. 4. It is noted that the present writ petitions were filed in

September 2019. We also find that the pleadings herein are also complete. However, since an efficacious remedy is available to the petitioners, we are inclined to relegate the petitioners to exhaust that remedy by approaching the Maharashtra Administrative Tribunal.

4. Accordingly, liberty is granted to the petitioners to approach the Maharashtra Administrative Tribunal to raise the grievances which are raised in the present writ petitions.

5. As these writ petitions were filed in September 2019, the period spent in prosecuting the present proceedings shall be excluded towards consideration of the period of limitation. If such applications are filed, the same shall be considered and decided expeditiously in accordance with law preferably within a period of four months from filing of the said applications.

6. Accordingly, the writ petitions are disposed of. Points raised in these writ petitions are kept open. No costs. For the same reason, the contempt petition is also disposed of.

(M. W. CHANDWANI, J.)

(A. S. CHANDURKAR, J.)

SANDIP
MAHADEV
GATE

Personal
Assistant to the
Hon'ble Judge
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by SANDIP
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