

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

910 WRIT PETITION NO.12039 OF 2023

SHARDHA RAMESH BAGDI ALIAS SHARDHA MOSES SRISUNDER
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

Mr.S.R.Kolhare, Advocate for the Petitioner.
Mr.A.V.Deshmukh, AGP for Respondent No.1.
Mr.S.S.Chillarge, Advocate for Respondent Nos. 2 and 3.

(CORAM : RAVINDRA V. GHUGE AND
S.G.MEHARE, JJ.)

DATE : SEPTEMBER 29, 2023

PER COURT :

1. This yet another example of misuse of the Writ of Mandamus. An application is tendered to the Education Officer on 18.09.2023. There is no proof that it has been served. This Petition is filed within 24 hours, i.e. on 20.09.2023, seeking issuance of a Writ of Mandamus to the concerned Authority to exercise jurisdiction vested in it by Law.

2. A Writ of Mandamus is to be issued after this Court is convinced that all statutory remedies have been explored and the

Statutory Authority is refusing to exercise jurisdiction duly vested in it by Law. It is unimaginable to issue a Writ of Mandamus to an Authority within 24 hours of the filing of the application, directing to exercise its Writ jurisdiction as it has been 'shirking' its responsibility.

3. **In view of the above, this Writ Petition is disposed off.**

4. At this stage, the learned Advocate for the Petitioner seeks liberty to request the concerned Authority for an early decision.

(S.G.MEHARE, J.)

(RAVINDRA V. GHUGE, J.)