MULEY SHUBHAM PRAVINRAO
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
PUBLIC INTEREST LITIGATION NO. 133 OF 2023

Sunil Jabarchand Modi … Petitioner

V/s.

State of Maharashtra & Ors. … Respondents

Mr. Avinash M. Gokhale a/w Amrin Khan for Petitioner.
Mr. P. P. Kakade, GP a/w R. A. Salunkhe, AGP for State.
Mr. Abhijit M. Adagule for Respondent Nos.2 & 3.
Mr. Siddharth A. Mehta for Respondent No.4.

CORAM : DEVENDRA KUMAR UPADHYAYA, CJ. & ARIF S. DOCTOR, J.

DATE : 23rd AUGUST, 2023

P.C. :

1. Heard learned counsel for the parties. On being pointed out that a Writ of Quo Warranto would not be available to challenge transfer order of a government servant; neither a Public Interest Litigation Petition can be entertained in service related matters, learned counsel for the Petitioner states that Petitioner has filed this Petition primarily to ensure that the civic amenities are provided to the residents by the Kolhapur Municipal Corporation. However, he states that he may be permitted to withdraw the Petition with the liberty to institute a fresh Petition

so far as the grievances relating to civic amenities are concerned.

2. Thus, the Petition is dismissed as withdrawn with the aforesaid liberty. However, we make it clear that this liberty would not mean liberty to institute any proceeding challenging the transfer of any employee concerned.

(ARIF S. DOCTOR, J.) **(CHIEF JUSTICE)**