



(1)

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

50 WRIT PETITION NO. 1951 OF 2024

**EKNATHRAO GANPATRAO KHADSE
VERSUS
STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS**

....
Mr A. A. Joshi, Advocate h/f Mr Swapnil S. Patil, Advocate for
Petitioner;
Mr A. B. Girase, G.P. for Respondent Nos.1 to 4 & 6

**CORAM : RAVINDRA V. GHUGE
AND
R. M. JOSHI, JJ.**

DATE : 20th February, 2024

PER COURT:

1. This is a Petition filed by an individual, putting forth
prayer clauses (B) and (C), which read as under :-

“B. Rule may kindly be made absolute and by issuing appropriate writ or direction in the like nature, respondents no. 1 to 4 be directed take substantive strong disciplinary action including suspension against respondent no. 5 in view of reports dt. 21/06/2023, 08/11/2023 and other reports submitted by respondent no.6 time to time and pending charge sheet against respondent no.5.

C. Pending hearing and final decision of this Writ Petition, respondent no.1 to 4 may kindly be directed to initiate substantive departmental action and suspend respondent no.5 and submit report to this Hon'ble High Court.”

(2)

2. It is a settled principle of law that a Public Interest Litigation in service matters cannot be entertained. This is a Petition wherein no personal cause is involved and the Petitioner is not seeking any relief.

3. In view of the above, a Writ of Mandamus of this Court cannot be utilized in these circumstances. If the Petitioner desires to avail of a remedy as may be permissible in law, he would be at liberty to do so, keeping in view that he alleges that the Respondent No.5 is involved in several acts of misappropriation and corruption of public money.

4. **This Writ Petition is disposed off.**

(R. M. JOSHI, J.)

(RAVINDRA V. GHUGE, J.)

sjk