



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.2805 OF 2022

Shivshankar Narayan Ghatе, Malegaon, Tq. Nandura, Dist. Buldhana and ors.

-VS-

State of Maharashtra, Thr. Secretary, Dept. of Public Health Officer, Mumbai and ors.

Office notes, Office Memoranda of  
Coram, appearances, Court's orders  
or directions and the Registrar's orders.

Court's or Judge's Orders.

Shri P A. Kulkarni, Advocate for petitioners.

Shri A. S. Fulzele, Additional Government Pleader for respondent Nos.1 to 4.

Smt Vaishali Khadekar, Advocate for respondent No.5.

**CORAM : NITIN W. SAMBRE AND ABHAY J. MANTRI, JJ.**

**DATE : February 20, 2024**

1. In the first half the learned counsel for the petitioners got connected through video conferencing however was not armed with instructions and as such sought pass over of the matter which was granted. Even in the second half when the matter was called out, the learned counsel for the petitioners was unable to satisfy the Court about maintainability of the petition as the writ jurisdiction is sought to be exercised against respondent No.6, the employer of the petitioners which is a private entrepreneur.
2. The learned counsel for the petitioners claims that the petition needs to be transferred to Aurangabad Bench to be heard with similar matters raising identical issue.
3. We hardly see any reason to exercise such powers in favour of the petitioners.
4. The petition is already dismissed as against respondent No.6.
5. The prayer in the petition is not to terminate the services of the petitioners by respondent No.6.
6. In view of above in our opinion, the petition cannot be entertained. With liberty to the petitioners to take such steps as are permissible and available in law, the writ petition is disposed of as not entertained. No costs.

(Abhay J. Mantri, J.)

(Nitin W. Sambre, J.)