



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.7577 OF 2025

RAJESHWAR NAGNATH LAMDADE
VERSUS
THE STATE OF MAHARASHTRA THROUGH
SECRETARY AND OTHERS

...
Advocate for the Petitioner : Mr. Abhijit G. Choudhari
AGP for Respondents: Mr. R.K. Ingole
Advocate for Respondent No.3 : Mr. Vijay V. Deshmukh
...

CORAM : MANISH PITALE &
Y. G. KHOBRAGADE, JJ.

DATE : 01.07.2025

PER COURT:

1. This Petition was filed on 09.06.2025 and the affidavit was sworn on 21.05.2025. These dates are relevant for the reason that the only prayer made in this Petition is seeking a direction/mandamus to the Respondent No.2 – Deputy Director of Education to take a decision on a proposal submitted on 10.05.2025.
2. It is evident that the affidavit in support to the Petition was sworn within eleven (11) days of the proposal being moved before the Respondent No.2 – Deputy Director. The Petition was filed on 09.06.2025 i.e. the reopening date after the Summer Vacation of this Court. Therefore, it is clear that even before a period of one month could expire from the date of the proposal being moved before the Respondent

No.2 – Deputy Director, this Petitioner has rushed to the Writ Court seeking a “Mandamus” against Respondent No.2.

3. We fail to understand how such a petition is maintainable even when a period of one month is to expire from the point in time when the proposal was moved before the Respondent No.2 – Deputy Director. We have taken note of the fact that a number of such petitions are being filed before this Bench asking for apparently innocuous directions for deciding applications/proposals moved before various State Authorities. It is unfortunate that no breathing time is given to the officers of the State and immediate petitions are moved, which overburden the already heavy docket of this bench and routine orders are passed issuing directions to the State Authorities/Officers. It is high time that such a trend is discouraged and it is expected that Advocates as Officers of this Court take a constructive approach in the matters so as to convince their clients not to make a beeline to the High Court for filing writ petitions within days of moving such applications and proposals before the State Authorities/Officers.

4. Unfortunately, this is a Petition that exemplifies such a misplaced trend.

5. The proposal in the present case was moved on 10.05.2025. Although the Petitioner may be anxious about the proposal being considered, we are of the opinion that pressurizing the State Authorities/Officers by moving such writ petitions is wholly uncalled for.

At the same time, the State Authorities/Officers are also not expected to recalcitrant.

6. In view of the above, the Writ Petition is dismissed.

7. Nonetheless, we expect the Respondent No.2 – Deputy Director of Education, Latur Division, to consider and decide the proposal of the Petitioner as expeditiously as possible.

(Y. G. KHOBRAGADE, J.)

(MANISH PITALE, J.)

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