



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

958 WRIT PETITION NO. 8185 OF 2025

GANESH BAJARANG ITAPE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

....

Mr. H. P. Jadhav, Advocate for the Petitioner

Mr. A. B. Girase, Government Pleader for the Respondents – State

....

**CORAM : MANISH PITALE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 08.07.2025

PER COURT :-

1. Heard the learned counsel for the Petitioner.
2. The Petitioner has rushed to this Court by filing the present Writ Petition on 17.06.2025, with a prayer for direction to the Respondents to decide pending representations moved by the Petitioner. It is relevant to know that the representations were filed one after the other by the Petitioner, as recently as on 28.04.2024, 19.05.2025, 03.06.2025 and 11.06.2025. Immediately thereafter, the present Writ Petition has been filed in order to seek a direction as noted herein above.

3. In an earlier Petition also, in the last week, this Court had observed that there has now become a tendency to rush to the Writ Court seeking apparently innocuous direction for decision on representations / proposals / applications moved before the Respondents, immediately after such representations / proposals / applications are moved. This is further clogging the already heavy docket of this Bench of the Bombay High Court. Precious time of the Court is wasted in considering such petitions, which result in orders being issued for the consideration of representations, proposals, or applications. This may also tend to put undue pressure on the Respondents to decide matters that would otherwise require some breathing time.

4. The matters requiring decision on important issues and questions of law are being relegated and remain pending, while such Writ Petitions continue to flood the docket of this Bench of the Bombay High Court.

5. When specific queries were put to the learned counsel for the Petitioner as to what prompted the Petitioner to rush to this Court invoking its writ jurisdiction, it was submitted that the said

representations, though preferred to as recently as in April, May, and June of 2025, remain pending without any decision.

6. Further probe into the matter reveals that the grievance of the Petitioner is that one post of Junior Clerk has fallen vacant. The Petitioner, who is currently working as a Peon, aspires to be promoted to the said post of Junior Clerk and, in his anxiety to be promoted, has rushed to this Court seeking a Writ of Mandamus.

7. In the first place, there is nothing to indicate that the vacant post of Junior Clerk has been filled by any employee junior to the Petitioner. The timing of when such a vacancy would be filled depends upon the action that may be undertaken by the Respondent management in due course. Therefore, we are of the view that there is no cause of action for the Petitioner to approach this Court by filing the present Writ Petition.

8. In such circumstances, this Writ Petition cannot be entertained. Accordingly, it is dismissed. Pending Civil Applications, if any, also stand disposed of.

[Y. G. KHOBRADE, J.]

[MANISH PITALE, J.]