

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.4577 OF 2025**

Harshwardhan Shivaji PawarPetitioner

Versus

The State of Maharashtra and Ors.Respondents

Mr. Rajaram Deshmukh for the Petitioner.

Ms. N.M. Mehra, AGP for Respondent Nos.1 and 2.

**CORAM : RAVINDRA V. GHUGE &
ASHWIN D. BHOBE, JJ.**

DATE : 8th APRIL, 2025

P.C. :-

1. A proposal in relation to a purported appointment of 2017 is forwarded on 21st January, 2025. *Prima facie*, it appears that there was no advertisement. The learned AGP submits that this is a backdoor entry.

2. We are not entertaining this Petition primarily for the reason that the proposal was filed by the Management on 21st January, 2025 and on the sixth day, this Petition is filed for issuance of Writ of Mandamus. We would not indulge in such matters keeping in view that a Writ of Mandamus to a statutory authority to exercise jurisdiction vested in it by law, is issued only

after we are convinced that the statutory Authority has failed to perform the duty cast on him by the law.

3. In view of the above, **this Petition is disposed off.**

4. Needless to state, as and when the Authority decides the proposal, the same would be considered on its merits, including the issue of there being no advertisement before making an appointment.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)