



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2293 OF 2026

Nitin Namdev Bodkhe

VERSUS

The State Of Maharashtra Through Secretary And Others

...

Mr. S. E. Shekade, Advocate for the Petitioner

Mr. R. S. Wani, AGP for Respondent-State

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CORAM : SMT. VIBHA KANKANWADI &
AJIT B. KADETHANKAR, JJ.

DATED : 27TH APRIL, 2026

ORDER :-

. Learned AGP relying upon the decision in the matter of *Gangaram Topaji Hupade Vs. Digamber Sadashio Kanwale and another [1991 Mh.L.J. 1204]* submits that Police Patil is appointed under the Maharashtra Village Police Act in accordance with the provisions of the Maharashtra Police Patils (Recruitment, Pay Allowances and other conditions of service) Order, 1968 of the attributes of the government servants exist between the Police Patil and the Government. He is clearly a holder of civil post under the State created by the statute for performance of State functions and which exists apart from its holder, and therefore submits that when the petitioner is challenging the process of recruitment of Police Patil,

he shall approach the Maharashtra Administrative Tribunal.

2. Thereupon, upon instructions, learned Advocate for the petitioner seeks withdrawal of the petition with liberty to approach the Maharashtra Administrative Tribunal. In view of the said statement, we **dispose of** the Writ Petition with liberty as prayed.

[AJIT B. KADETHANKAR, J]

[SMT. VIBHA KANKANWADI, J.]

Rushikesh/2026