

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

WRIT PETITION NO. 3560 OF 2004

Mohammad Abdul Gani s/o. Noor Mohammad .. Petitioner

Versus

The State of Maharashtra & ors. .. Respondents

Mr. G.R. Sayed, Advocate for the petitioner.

Mr. S.D. Ghayal, AGP for respondent/State.

**CORAM : A.V.NIRGUDE &
V.K.JADHAV, JJ.**

DATED : 13.10.2015

P.C. :-

1. This petition challenges judgment and order of Maharashtra Administrative Tribunal, Bench at Aurangabad, refusing to accept the petitioner's contention. The facts leading to the litigation in short can be stated as under :-

2. The petitioner was working as a Fieldman, in Agriculture Department of State of Hyderabad prior to 1956. After State Reorganization Act, 1956 was passed, the petitioner stood absorbed in the service of State of Bombay. His earlier post of Fieldman was equated to Agriculture Assistant, Jr. Grade, which is Group-3. Accordingly, the petitioner continued in service without further dispute. In 1974, the Government of Maharashtra

prepared seniority list of Agriculture Assistant, Jr. Grade, Group-3 and thereafter in 1981 certain Assistants, who were junior to the petitioner, were promoted. The petitioner, therefore, approached this Court by filing Writ Petition No.3799 of 1989. Said writ petition was transferred to Administrative Tribunal and re-numbered as Transfer Application No. 2145 of 1991.

3. For number of reasons recorded in the judgment, the Tribunal rejected petitioner's application. We would also do the same. The first and foremost reason is delay and latches on the part of the petitioner. The petitioner did not raise any objection to promotion of his junior candidate and to the seniority list and also to his being equated to Agriculture Assistant, Jr. Grade for number of years. We perused the judgment and found that it is well reasoned one. We are not inclined to allow this petition.

4. The writ petition stands dismissed. Rule discharged.

[V.K.JADHAV, J.]

[A.V. NIRGUDE, J.]