

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.3648 OF 2016

PRABHAWATI BABURAO PAWAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Mr.T.M.Venjane, advocate for petitioner

Mr.V.S.Badakh, AGP for respondent no.1

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**CORAM : S.S. SHINDE AND
SANGITRAO S. PATIL, JJ.**

DATE : MARCH 31, 2016

PER COURT :

Heard.

2] The petitioner, by way of filing this Writ Petition, seeks direction to the respondents to pay salary to him for the period from July, 1986 to December, 1987 and also for continuation in the service.

3] It appears that the petitioner was appointed way back in the year 1985 and thereafter,

confirmed in the service in the year 1988. Admittedly, the petitioner has filed a representation on 23rd December, 2012 i.e. after a lapse of more than 27 years after his appointment.

4] In that view of the matter, not only the representation filed by the petitioner is hopelessly time barred, but also this petition which is filed almost after more than 30 years. No such stale claim can be considered by invoking extraordinary jurisdiction otherwise, it will set a wrong precedent and may open a flood gate for filing such stale claims.

5] For the reasons afore-stated and the fact that even the delay in filing the present petition has not been explained, we decline to invoke the extraordinary jurisdiction.

6] The petition is devoid of merits and stands dismissed.

[SANGITRAO S. PATIL, J.]

[S.S. SHINDE, J.]

kbp