

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.3306/2015

Shri Deepak s/o Bhagwanji Meshram

...Versus...

**Maharashtra State Road Transport Corporation, Amravati through its Divisional
Controller, Division Amravati Office at Shivaji Nagar, Amravati, Tq. and Distt.
Amravati and another**

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : SMT. VASANTI A NAIK, J.

DATE : 10.10.2016

By this writ petition, the petitioner has challenged the order of the Divisional Controller of respondent – Corporation, dated 7.11.2013, removing the name of the petitioner from the attendance register on attaining the age of superannuation at the age of 58. The petitioner has sought a direction against the Corporation to continue the petitioner in service till the age of 60 years.

On a reading of the writ petition, it appears that the relief sought by the petitioner cannot be granted. Firstly, though the petitioner was informed by the impugned order, dated 7.11.2013 that he stood superannuated on attaining the age of 58 years on 7.11.2013, the petitioner did not file the petition till 5.5.2015. The petitioner filed the writ petition more than one and half year from the date of issuance of the impugned order. Nothing is pointed out by the petitioner from the averments

made in the writ petition or the documents annexed thereto that the age of retirement of a Security Guard working in the Maharashtra State Road Transport Corporation is 60 years and not 58 years. Also, though a representation was made by the petitioner for seeking the extension of the age of retirement of 60 years and the same was not decided by the State Government and the respondent – Corporation, the petitioner did not take any further steps in the matter till the impugned order, retiring the petitioner from service, was passed. The petition suffers from laches and it is also sans merit.

In view of the aforesaid, the writ petition is dismissed with no order as to costs.

JUDGE

Wadkar

CERTIFICATE

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