

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

WRIT PETITION NO.2131 OF 2016

- 1) Jahagirdar s/o Gulab Shaikh,
- 2) Laxman s/o Vaman Choudhary

...PETITIONERS

VERSUS

- 1) The State of Maharashtra,
Through Secretary,
Agricultural Department,
Mumbai-32,
- 2) The Superintending Agricultural
Officer, Nashik,
- 3) Joint Director of Agricultural
Officer, Nashik Road, Nashik,
- 4) Taluka Krishi Adhikari,
Nawapur, Dist-Nandurbar.

...RESPONDENTS

...
Mr.S.R. Choukidar Advocate for Petitioners.
Mr.S.B. Yawalkar, Additional Government Pleader
for Respondent Nos.1 to 4.

...

**CORAM: S.S. SHINDE AND
S.M. GAVHANE, JJ.**

DATE : 10TH JANUARY, 2018

ORDER :

1. Heard learned counsel appearing for the Petitioners and learned Additional Government Pleader appearing for the State.

2. Learned counsel appearing for the Petitioners submits that the Petitioners suffered permanent loss since there is no adjudication by the Maharashtra Administrative Tribunal on merits. It is submitted that keeping in view the grievance raised by the Petitioners before the Maharashtra Administrative Tribunal, the Maharashtra Administrative Tribunal without taking hyper technical view of dismissing the Original Application on the ground of delay, ought to have adjudicated the same on merits. Therefore, he submits that the Petition deserves consideration.

3. On the other hand the learned Additional Government Pleader appearing for the State submits

that there was inordinate delay and the view taken by the Tribunal was in consonance with the facts of the case and therefore once plausible view is taken by the Tribunal, there is no reason for this Court to interfere in the impugned order.

4. After hearing learned counsel appearing for the Petitioners and learned Additional Government Pleader appearing for the State, and the fact that there was delay of more than 7 years in filing Original Application and approaching the Tribunal, in our considered view the reasons assigned in the impugned order of the Maharashtra Administrative Tribunal needs no interference. Therefore we are unable to persuade ourselves to grant any relief to the Petitioners. Hence the Writ Petition stands rejected.

[S.M. GAVHANE, J.]

[S.S. SHINDE, J.]