

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**BENCH AT AURANGABAD****WRIT PETITION NO. 3706 OF 2014**

Vasant Purushottam Vyavhare .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Smt. R. R. Mane, Advocate for Petitioner.

Shri. S. K. Tambe, A.G.P. for Respondent Nos. 1 to 3.

**CORAM : S.V. GANGAPURWALA AND
S. M. GAVHANE, JJ.**

DATED : 04th September, 2018

PER COURT:

. Mrs. Mane, learned counsel for the petitioner submits that the petitioner was appointed as an “Assistant Employment Officer” on 14.06.1965. On or about 07.01.1978, the petitioner was given departmental promotion to the post of “Sub Regional Employment Officer”. The petitioner claims seniority in the cadre as a nominee and not as a promotee. The petitioner had earlier filed Writ Petition bearing No. 666/1985. The same was transferred to the Maharashtra Administrative

Tribunal and the Original Application was numbered as 2622/1991. The original application was disposed of by the tribunal under order dated 10.04.1996. It was observed by the tribunal that the petitioner is entitled for fixation of his seniority in the cadre of Sub Regional Employment Officer as a nominee and his seniority should be determined accordingly. The learned counsel further submits that the Respondent No. 3 rejected the claim of the petitioner for promotion to the post of "Deputy Director of Employment" under communication dated 25.06.1997. The learned counsel submits that the efficient service rendered by the petitioner is ignored. The Respondent Nos. 2 and 3 have erroneously declared the petitioner as not eligible for the post of "Deputy Director of Employment". No reasons are specified while denying the claim of the petitioner. According to the learned counsel, as the order is without reasons the same deserves to be set aside and the claim of the petitioner is required to be considered. The learned counsel in alternate submits that matter be transferred to the Maharashtra Administrative Tribunal.

2. We have considered the submissions canvassed by the learned counsel for the petitioner and the learned Assistant Government Pleader.

3. The claim of the petitioner is denied under order dated 25.06.1997.

The petitioner has approached this court after lapse of 18 years. Even, the limitation for filing the original application before the Maharashtra Administrative Tribunal is one year. No plausible reasons are coming forth for not assailing the order earlier. The petitioner has retired long back. The reasons given in the petition, more particularly, paragraph no. 11 would not tantamount to sufficient cause to entertain the grievance of the petitioner after long slumber of 18 years.

4. In the light of above, writ petition stands disposed of. No costs.

[S. M. GAVHANE, J.]

[S. V. GANGAPURWALA, J.]

ass/wp 3706.14