

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.5209 OF 2018

Digambar Rajaram Parodwad

PETITIONER

VERSUS

The State of Maharashtra and others

RESPONDENTS

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Mr. S.D. Joshi, Advocate holding for Mr. Ashish L. Rajkar, Advocate
for the petitioner

Mr. S.Y. Mahajan, A.G.P. for the respondents/State

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**CORAM: PRADEEP NANDRAJOG, CJ &
R.G. AVACHAT, J.**

DATE : 26.09.2019

PER COURT :

- 1] Heard learned counsel for the parties.
- 2] By the impugned order dated 8th August, 2016, delay in filing Original Application (Stamp) No.553/2015 has not been condoned and as a result, the Original Application has been dismissed by the Maharashtra Administrative Tribunal.

3] The petitioner was appointed as a Peon on 19th February, 1982 and was promoted as a bailiff on 9th December, 1994. Further promotion earned was that of a clerk/typist on 11th June, 2008.

4] On the plea that a person junior to him named Mr. H.B. Kadam was given benefit of time-bound promotion on completing twelve years service, the petitioner made a representation that even he be given a time-bound second promotion benefit on rendering twelve years service as a Grade-D employee. The representation was made for the first time somewhere in the year 2008. He continued to make representations till he superannuated from service.

5] Suffice it to state that the claim of the petitioner was most confusing for the reason he claimed right to be promoted as a clerk with effect from 10th August, 1993, a date which emerges probably with reference to the promotion earned by Mr. H.B. Kadam.

6] Thus, the cause of action, if any accrued to the petitioner way back in the year 1993.

7] It is settled law that continuous non-statutory representations do not extend the limitation.

8] We find no infirmity in the view taken by the Maharashtra Administrative Tribunal and thus dismiss the Writ Petition.

9] No costs.

(R.G. AVACHAT, J.)

CHIEF JUSTICE