

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 9475 OF 2021

Bhaskar S/o Mugajirao Shinde

Petitioner

Versus

The State of Maharashtra & others

Respondents

Mr. A. R. Gaikwad, Advocate for the petitioner.

Mr. P. K. Lakhotiya, AGP for respondents No. 1 to 3.

**CORAM : RAVINDRA V. GHUGE &
S. G. DIGE, JJ.**

DATE : 22nd APRIL, 2022.

PER COURT :

1. By this petition, the petitioner prays that the period from the date of his termination by a different school management on 30th March, 1984 till his selection and appointment in a different school on 5th November, 1984, should be bridged. In short, he desires that this interruption in service should be condoned.

2. There is no dispute that after the petitioner was terminated on 30th March, 1984, by Sheth Agarchand Kunkulol High School, Barshi, he was selected and appointed as a fresh employee on

5th November, 1984 in the Zilla Parishad. He has not challenged his termination dated 30th March, 1984 which, therefore, has attained finality.

3. The petitioner submits that a proposal was sent by the Zilla Parishad in the year 2009 for condonation of break in service. A reminder was also sent on 1st November, 2010. By this petition, filed on 13th August, 2021, the petitioner desires that we should issue a direction that the proposal or the reminder should be considered after a span of 13 years. If such a request is accepted, this would amount to reviving a cause of action which has attained finality.

4. In view of the above and taking into account that his termination dated 30th March, 1984 has attained finality, this petition is devoid of merit.

5. This petition is dismissed.

(S. G. DIGE)
Judge

(RAVINDRA V. GHUGE)
Judge