

(1)

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

20 WRIT PETITION NO.11122 OF 2019

HANUMAN KESHAVRAO NAGARGOJE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr. B.A. Dhengale, Advocate for petitioner;
Mr. P.K. Lakhotiya, A.G.P. for respondent nos.1 & 2

**CORAM : A.S. GADKARI
AND
S. G. MEHARE, JJ.**

DATE : 10th January, 2022

P.C.

1. Heard learned Counsel for the parties.
2. By the present petition, the petitioner has prayed for following reliefs as per prayer clauses (B) and (C):-

“(B) By issuing appropriate writ/order the impugned order bearing No.SUC/AU/UMV-1/2018-19/9169 dated 17 July 2019, passed by the respondent No.2 may kindly be quashed and set aside and direction be issued to grant the proposal submitted by the respondent No.4 college on 16.8.2016 for grant of approval of services of the petitioner for academic year 2003-2004 & 2004-2005 on non grant basis as has counted and considered the said period while granting approval and fixing the pay scale as per 6th a& 7th pay commission.

(2)

(C) By issuing appropriate order/directions the respondent no.2 may kindly be directed to grant the time bound promotional pay scale/higher pay scale to the petitioner considering & counting his service period from the date of his joining of services i.e. from 9.8.2003, for the academic year 2003-2004 & 2004-2005 as full time teacher on non grant basis with the respondent no.4 college."

3. Upon hearing the learned Counsel for the petitioner and perusing entire record, it is clear that the petition is hopelessly barred by principles of delay and laches. For a cause of action which had arisen in August, 2003, the present petition is filed on 31.8.2019, i.e. after about more than fifteen years.

4. Even otherwise, the post for which the petitioner is claiming approval and on the basis of that, application of pay scale as per 6th and 7th Pay Commission, the said post was not sanctioned by the Education Department. The impugned communication is self eloquent and needs no interpretation of explanation in that behalf.

5. Petition being dehors of merits, is dismissed in *limine*.

(S. G. MEHARE, J.)

(A.S. GADKARI, J.)

amj