

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO.12612 OF 2022**

|                          |                |
|--------------------------|----------------|
| Sabde Dilip Sambhajirao  | ...Petitioner  |
| Versus                   |                |
| The State of Maharashtra |                |
| And Another              | ...Respondents |

\* \* \*

Mr. Rajendra V. Kamble, for the Petitioner.  
Mr. N.K. Rajpurohit, AGP for the Respondent-State.

\* \* \*

**CORAM : DHIRAJ SINGH THAKUR &  
VALMIKI SA MENEZES, JJ.**

**DATE : 19 OCTOBER 2022**

**P.C.**

. The present Writ Petition has been filed challenging the Order dated 18<sup>th</sup> October 2022, whereby the Maharashtra Administrative Tribunal, Mumbai ("MAT") has rejected the prayer of grant of interim relief to the Petitioner, who was seeking permission to appear for the Interviews being conducted by Maharashtra Public Service Commission (for the post of 'Under Secretary (Legal) Group-A, in OBC Category. The Petitioner, as per Notification dated 24<sup>th</sup> November 2021 ought to have been below the age of 45 years as on 1<sup>st</sup> March 2022. The Petitioner relies upon the Government Resolution issued by General Administrative Department dated 17<sup>th</sup> December 2021, which according to the Petitioner extended the

period in regard to those candidates, who were becoming age barred between 1<sup>st</sup> March 2020 to 17<sup>th</sup> December 2021. The Petitioner claims that he ought to have been granted benefit of this Government Resolution, which has been denied by the Tribunal.

2 Learned AGP for the Respondent-State submits that notwithstanding the fact that the prayer for interim relief made by the Petitioner has been rejected, the matter would come for further proceedings before the Tribunal tomorrow, i.e. 20<sup>th</sup> October 2022. It is, therefore, stated that it would be appropriate for the Petitioner to wait the final disposal of the original application filed by him before the MAT.

3 We have heard learned Counsel for the parties. We are informed that the Interview for the post of Under Secretary (Legal) Group-A, have already begun from 13<sup>th</sup> October 2022 and shall continue till 20<sup>th</sup> October 2022 and 20<sup>th</sup> October 2022 being the last date, thereafter, the matter would be rendered practically academic. Considering the peculiar facts and circumstances of the case, we direct MPSC to permit the Petitioner to participate in the Interviews for the said post. The results, however, be not declared and will be subject to the final Orders and final outcome of the

Petitioner's original application before the Tribunal. It is made clear that we have not gone into the merits of this case and all contentions are kept open. The Petition is, accordingly, disposed of.

(VALMIKI SA MENEZES, J.)      (DHIRAJ SINGH THAKUR, J.)

RAJESH  
VASANT  
CHITTEWAN

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