

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR**

**Writ Petition No.2133 of 2023**

Shri Shree Bhagwan

Versus

State of Maharashtra and others

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*Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders.*

*Court's or Judge's order*

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Shri C.S. Kaptan, Senior Advocate, with Shri V.B. Bhise, Advocate for Petitioner.  
Shri D.P. Thakre, Additional Government Pleader for Respondent No.1.  
Shri N.S. Deshpande, Deputy Solicitor General of India for Respondent Nos.2 and 3.

**CORAM : A. S. CHANDURKAR AND M.W. CHANDWANI, JJ.**

**DATE : 18<sup>th</sup> APRIL, 2023.**

1. Not on board. Taken on board.
2. On 31-3-2023, this Court had, while issuing notice to the respondents, permitted continuation of the petitioner as Administrative Member of the Maharashtra Administrative Tribunal till his request for extension of tenure till the age of 65 years was considered. Such request was made by the communication dated 14-6-2022. Today, the learned Deputy Solicitor General of India, on instructions, submits that the said representation has been decided on 17-4-2023 and it has been stated that with the enactment of the Tribunal Reforms Act, 2021, there is no provision to extend the tenure under Section 8(2) of the Administrative Tribunals Act, 1985 and further there is no provision to extend the tenure in the Tribunal Reforms Act, 2021, but there is a provision for re-appointment in the Act of 2021. The procedure in that regard has been prescribed under the said Act and the Rules made thereunder.

In view of the aforesaid, we refrain to consider the writ petition for adjudication.

The learned Senior Advocate for the petitioner submits that the interim order granted on 31-3-2023 be continued to enable the petitioner to take further appropriate steps. Since the basis for issuing such interim order was the

provision for extension of tenure up to 65 years, as prescribed by Section 8(2) of the Administrative Tribunals Act, 1985, and that provision is now stated to be not applicable as the matter is governed by the Tribunal Reforms Act, 2021, the said request cannot be accepted.

The writ petition is disposed of. No costs.

(M.W. CHANDWANI, J.)

(A. S. CHANDURKAR, J.)

LANJEWAR