



(1)

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

25 WRIT PETITION NO. 1389 OF 2024

**SMT. LAXMI ARUN GHOLAP
VERSUS
THE STATE OF MAHARASHTRA THROUGH WATER SUPPLY
AND SANITATION DEPARTMENT AND OTHERS**

....

Mr Gaurav L. Deshpande, Advocate for Petitioner;
Mr P. K. Lakhotiya, A.G.P. for Respondent No.1

**CORAM : RAVINDRA V. GHUGE
AND
Y. G. KHOBRADE, JJ.**

DATE : 5th February, 2024

PER COURT:

1. The Petitioner's husband joined as a 'Mistri' on 07/02/1974. On 01/06/1982, he was given reappointment as a 'Junior Engineer'. On 01/04/1986, he was deputed as a 'Sectional Engineer' since he passed the professional examination in January 1985. On 01/08/2001, the Petitioner's husband received the benefits of the Assured Career Progression Scheme (ACPS). The first benefit of the ACPS was granted to him on 01/08/2006. According to the Petitioner/widow, her husband should have been granted the second ACPS benefits by resorting to cadre restructuring and he should have received the benefits on 01/08/2006. He retired on 30/06/2007 and passed away on 15/03/2021.

(2)

2. The Petition before us is filed on 10/01/2024. The Petitioner's husband retired on 30/06/2007. Until his retirement and his death 14 years thereafter, he did not knock the doors of the Court and did not raise any grievance about his cadre restructuring. The Widow of the employee is before this Court after 17 years, claiming that her husband's cadre restructuring should be done in the light of he having been deputed as a 'Sectional Engineer' on 01/04/1986.

3. We are unable to entertain this Writ Petition, for the reason that the employee himself had never expressed any grievance about his cadre restructuring. The employee had never questioned and demanded the second ACPS benefits. He retired on 30/06/2007 and for 14 years thereafter, he did not approach the Court, and passed away on 15/03/2021. In these circumstances, the widow is taking up an issue that her husband was wrongly put in a particular cadre in 1986, and such issue which is 38 years old is taken up in this Petition.

4. In view of the above, **this Writ Petition is dismissed.**

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

sjk