

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

WRIT PETITION NO.16863 OF 2024

Raju Dhondiram Akrupe,]
R/of. Samata Nagar, Thane.] .. **Petitioner**

Versus

- | | | |
|---|---|-----------------------|
| 1. The State of Maharashtra, |] | |
| Through the Additional Chief Secretary |] | |
| (Services), General Administration Dept. |] | |
| 2. The State of Maharashtra, |] | |
| Through the Additional Chief Secretary, |] | |
| Finance Department |] | |
| 3. The Maharashtra Public Service Commission, |] | |
| Through the Secretary |] | .. Respondents |

Mr. Ankit B. Rathod, Advocate for the Petitioner.

Mr. N.C. Walimbe, Additional Government Pleader with Mr. S.P. Kamble,
Assistant Government Pleader for Respondent Nos.1 to 3.

**CORAM : A.S. CHANDURKAR &
RAJESH S. PATIL, JJ**

DATE : 29TH NOVEMBER 2024.

PC. :

1. On 21st November 2024, the following order was passed in the writ petition :-

“1. It is informed that the proceedings in Original Application No.91 of 2024 are kept before the Maharashtra Administrative Tribunal on 22nd November 2024. The petitioner is permitted to make a request for taking up the said proceedings for final hearing in terms of the order dated 30th April 2024.

2. List under the caption of “Directions” on 27th November 2024.”

2. On 27th November 2024, the following order was passed in the writ petition:-

“1. It is submitted by the learned counsel for the petitioner that the Maharashtra Administrative Tribunal, through its learned Members, has heard Original Application No.91 of 2024. The proceedings have been closed for passing orders.

2. List under the caption “For Directions” on 29th November 2024.”

3. Pursuant to the aforesaid liberty given, the petitioner moved a praecipe before the Maharashtra Administrative Tribunal on 28th November 2024 along with the copies of the aforesaid orders. The said praecipe is taken on record and marked “A” for identification.

4. Original Application No.91 of 2024 (*Raju Dhondiram Akrupe Vs. The State of Maharashtra and Ors.*) has been preferred by the petitioner seeking relaxation of the age limit to enable him to participate in the Maharashtra Gazetted Civil Services Combined Preliminary Examination - 2024. On 30th April 2024, the Tribunal admitted the Original Application and kept it for final hearing on 14th June 2024. The Original Application was finally heard on 25th and 26th November 2024 and thereafter closed for passing orders. It is submitted by the learned counsel for the petitioner that pursuant to the Advertisement dated 26th September 2024, the examination under the Maharashtra Agricultural Services is scheduled on Sunday, the 1st December 2024. For want of an adjudication by the Tribunal, it is submitted that the petitioner would lose an opportunity of appearing at the said examination.

5. The learned Additional Government Pleader submits that since the proceedings are pending before the Tribunal and the final order is awaited, this Court may not entertain the writ petition.

6. In the peculiar facts of the case, as the final adjudication in Original Application No.91 of 2024 is awaited and the examination in question is scheduled on 1st December 2024, the petitioner is permitted to appear at the Maharashtra Gazetted Civil Services Combined Preliminary Examination 2024 - Group A, which is scheduled on 1st December 2024. This appearance of the petitioner is subject to outcome of Original Application No.91 of 2024. The petitioner shall not claim any equity in this regard.

7. The learned Additional Government Pleader to communicate this order to the concerned respondents. Respondent no.3 shall also take steps pursuant to these directions.

8. List under the caption "For Directions" on 11th December 2024.

9. Parties to act on authenticated copy of this order.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]