



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

WRIT PETITION NO. 8869 OF 2023

Chandu Gangaram Waghmare,
Age : 60 Years; Occu : Retired;
R/o : M. Post Nayagaon [B],
Tq. Nayagaon, Dist. Nanded. .. **PETITIONER**

VERSUS

1. The State of Maharashtra
Through Principal Secretary,
Revenue and Forest Department,
Mantralaya, Mumbai-32.
2. The Principal Chief Forest Conservator,
Social forestry, Pune,
Central Building, Pune-1.
3. The Chief Forest Conservator,
Dy. Director, Social Forestry,
Aurangabad.
4. The Chief Forest Conservator,
(Divisional), Aurangabad. .. **RESPONDENTS**

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Mrs.Suchita S. Upadhyay, Advocate for the petitioner.
Mr.A.B.Girase, Government Pleader for the respondent-
State.

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**CORAM : ALOK ARADHE, CJ. &
ARUN R. PEDNEKER, J.**

DATE : MARCH 21, 2025

ORDER : *[Per : Arun R. Pedneker, J.]*

1. Heard the learned counsel for the petitioner and the learned Government Pleader for the respondent-State.

2. The petitioner challenges the impugned order dated 27.03.2023 passed by the Maharashtra Administrative Tribunal, Aurangabad, dismissing the Misc. Application No.48/2021 in Original Application [Stamp] No. 175/2021, filed by the petitioner on the ground of delay.

3. The petitioner is claiming benefit of time bound promotion from the date the petitioner became eligible for the same i.e. from 28.04.1998. The cause of action for filing the Original Application arose on the same date i.e. on 28.04.1998, however, the petitioner had approached the Maharashtra Administrative Tribunal in the year 2021. It is also to be noted that the petitioner has retired on 30.07.2011. Considering the delay of 23 years in filing the Original Application, the Tribunal has dismissed the application for condonation of delay.

4. The learned counsel for the petitioner submits that the petitioner was appointed earlier on part-time basis and that he became permanent in view of the judgment in the case of Sheshrao Ramrao Kharate Vs. The State of

Maharashtra & others. The learned counsel submits that after the aforesaid judgment, the petitioner became eligible in the year 2008.

5. Even from that date, there is delay of 13 years in approaching the Maharashtra Administrative Tribunal, and therefore, considering the huge delay in filing the Original application, the Tribunal has rightly rejected the Misc. Application in Original Application for delay. In view of the same, we do not see any error in judgment of the Tribunal. Hence, the present Writ Petition is dismissed.

(ARUN R. PEDNEKER, J.)

(CHIEF JUSTICE)

DDC