

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 6307 OF 2018

Vidya Babarao Eghare

VERSUS

The State Of Maharashtra And Others

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Advocate for the Petitioner : Mr. Choudhari N. L.

AGP for Respondent/State : Mr. A.S. Shinde

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**CORAM : S.G. MEHARE &
SHAILESH P. BRAHME, JJ.**

DATED : JANUARY 14, 2025

PER COURT :

1. Heard both sides.
2. The petitioner has challenged the order dated 22.03.2018 passed by the learned Member of the Maharashtra Administrative Tribunal in Original Application (Stamp) No.1932 of 2017. The Tribunal refused to entertain original application on the ground of delay.
3. The petitioner had challenged the order dated 11.05.2016 by which her period of absence was treated to be an extra-ordinary leave. The proceedings were filed before the Tribunal on 06.02.2018. Considering the limitation provided by Section 21 of the Administrative Tribunals Act, 1985, the application came to be rejected by the learned Member.
4. Learned counsel for the petitioner made submissions on merits of the matter. Learned AGP supports the impugned order. He

would further submit that on earlier occasion, it was possible for the petitioner to agitate the grievance in respect of the order dated 11.05.2016. It is also submitted that already the findings are recorded against the petitioner in the earlier proceedings and for self same cause of action, the proceedings are not entertainable.

5. We have gone through the memo of original application. The petitioner did not explain the delay. He should have filed the petition on or before 12.05.2017, but it was filed on 06.02.2018. We do not find any perversity or patent illegality in the impugned order. A possible view has been taken. As the matter was dismissed on the ground of limitation, the submissions of the parties on merits cannot be entertained. We do not find any substance in the writ petition. The writ petition stands dismissed.

(SHAILESH P. BRAHME, J.)

(S.G. MEHARE, J.)