



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

WRIT PETITION NO.6852 OF 2025

Raj Liladhar Mali

..Petitioner

Vs.

The State of Maharashtra
and anr.

..Respondents

Mr.Madhukar Dhongde, Advocate h/f. Mr.R.M.Deshmukh, Advocate for
petitioner

Mr.S.K.Tambe, AGP for respondents

**CORAM : R.G.AVACHAT AND
NEERAJ P. DHOTE, JJ.
DATE : JUNE 13, 2025**

ORDER :-

Issue notice to the respondents, returnable forthwith.
Learned AGP waives notice for the respondents. The petition is heard
finally by consent of the parties.

2. The impugned order dated 23.04.2025 is passed by learned
Maharashtra Administrative Tribunal, Aurangabad, rejecting Misc.
Application No.170 of 2025, filed by the petitioner in O.A. No.1085 of
2023.

3. It is submitted by learned counsel for the petitioner that
the petitioner had sought appointment on compassionate ground and
therefore, approached learned Tribunal by way of above referred

Original Application. He submits that after the State filed its reply to the Original Application, the petitioner filed the aforesaid Misc. Application for amendment of the Original Application. He submits that by way of the amendment, the petitioner wanted to bring on record the Government Resolution dated 28.03.2001, issued by the Government of Maharashtra. He submits that learned Tribunal ought to have allowed the amendment and decided the Original Application finally on merit. He submits that the petition may be allowed.

4. The petition is opposed by learned AGP appearing for both the respondents. He submits that the Government had consolidated all the circulars, notifications and Government Resolutions by issuing the Government Resolution dated 21.09.2017 and therefore, reliance of the petitioner on the aforesaid Government Resolution dated 28.03.2001 was misplaced. He submitted that learned Tribunal has rightly passed the impugned order and there is no merit in the present Writ Petition.

5. We have perused the impugned order. Learned Tribunal dismissed the application for amendment on the basis of the subsequent Government Resolution dated 21.09.2017 issued by the respondent – State. Whether the Government Resolution, which the petitioner wanted to bring on record by way of the proposed

amendment, is applicable or not, would be a question of merit. It is nobody's case that by way of the proposed amendment the nature of proceedings would change.

6. In the above factual backdrop of the matter, the impugned order is not sustainable in the eye of law and the same needs to be set aside. Hence, we allow the Writ Petition in terms of the following order:-

- (i) The impugned order dated 23.04.2025, passed by learned Tribunal is set aside.
- (ii) Misc. Application No.170 of 2025 filed by the petitioner in O.A. No.1085 of 2023 is allowed.
- (iii) All the issues are kept open.

[NEERAJ P. DHOTE, J.]

[R.G. AVACHAT, J.]

KBP