

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7087 OF 2025

Priyanka Suresh Jawak

... Petitioner

Versus

The State of Maharashtra & Anr.

... Respondents

Mr. Randhir H. Prakash (through VC) for the Petitioner.

Mr. A. I. Patel, Addl GP a/w. Mrs. R. M. Shinde, AGP for the State.

CORAM : M. S. KARNIK AND
N. R. BORKAR, JJ.

DATED : 07th JULY, 2025.

P.C. :

1. Heard learned counsel for the petitioner and learned AGP.
2. The petitioner has challenged the order dated 05.09.2024 passed by the Maharashtra Administrative Tribunal (MAT for short) rejecting the application for condonation of delay of 2160 days caused in filing Original Application No. 1013/2023 (OA for short). Learned counsel for the petitioner submitted that the petitioner is a handicapped person and the Tribunal ought to have taken a liberal view while condoning the delay in filing the OA, as sufficient cause was demonstrated for not filing the OA.
3. We have gone through the order passed by the Tribunal. We see no reason to interfere with the Tribunal's order. The petitioner's father died on 08.02.2004. The petitioner's mother filed an application dated 13.07.2004 to respondent No.2 for appointment on compassionate ground. The petitioner's mother learnt on 04.06.2012 that her name was deleted from the waiting list as per GR dated 22.08.2005 as she attained

the age of 40 years. The petitioner's mother, therefore, filed application on 03.05.2016 for compassionate appointment to her daughter. The petitioner also filed an application on the same day. The petitioner was informed by respondent No.2 vide letter dated 26.07.2016 that her application cannot be considered. The petitioner was informed on 30.01.2017 about the rejection of her application. The petitioner approached this Court only in the year 2023. This Court disposed of the petition with the liberty to the petitioner to avail alternate remedy. As there was delay, the application for condonation of delay was filed along with the Original Application.

4. No doubt, the time spent in prosecuting the petition before this Court being bonafide, the same period should not come in the way of the petitioner in seeking condonation of delay. However, we find that though the petitioner was informed as far back as on 13.01.2017, even then the petitioner approached this Court only in the year 2023. So far as the petitioner's mother is concerned, her name was deleted from the waiting list as far back as on 31.05.2008. This is not a fit case in our opinion to condone the delay of 2160 days caused in filing the OA. We are satisfied with the reasons assigned by the Tribunal while dismissing the misc. application of the petitioner. We, therefore, do not find any merit in the submission made by the learned counsel for the petitioner. The petition is **dismissed**.

(N. R. BORKAR, J.)

(M. S. KARNIK, J.)