



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

WRIT PETITION NO. 474 OF 2025

Intending Engineer, Chandrapur Irrigation Project Circle, Chandrapur and anr Vs. Dayaram
Ganpatrao Hedao and anr)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. P.B. Ptil, Advocate for petitioner.
Mr. R.M. Fating, Advocate for respondent No.1.
Mr. N.R. Patil, AGP for respondent No. 2/State.

CORAM : ANIL S. KILOR & RAJNISH R. VYAS, JJ.

DATED : 04-11-2025.

Heard learned counsel for petitioner.

2. Challenge is to the judgment and order dated 10.4.2024, passed in Original Application No. 1230/2022, by Maharashtra Administrative Tribunal, Nagpur Bench Nagpur.

3. The respondent No.1 has preferred the said Original Application praying for grant of 2nd Time Bound Promotion to him. The petitioner herein filed reply, more particularly, at page No. 54 and specifically raised an issue of limitation since according to the petitioner, respondent No. 1 had retired on 31.3.2012 and the representation claiming 2nd Time Bound Promotion was made on 19.1.2019. The learned counsel for petitioner has contended that the aspect of limitation though goes to the root of the matter, same was not dealt with by the Maharashtra Administrative Tribunal. He has also relied upon the mandate of Section 3 of Limitation Act.

4. We have perused the judgment and order dated 10.4.2024. On perusal of the judgment, it reveals that though a specific ground regarding limitation was raised by the petitioner, same was not dealt with by the Maharashtra Administrative Tribunal.

5. In that view of the matter, we set aside the judgment dated 10.4.2024, passed by the Maharashtra Administrative Tribunal , in Original Application No.1230/2022 with direction to decide the issue of limitation while deciding the main application, again

6. The parties are directed to appear before the Maharashtra Administrative Tribunal on 19.11.2025. The petitioner undertakes to produce copy of this order before the Maharashtra Administrative Tribunal, within one week from today.

7. The petition is disposed of in the aforestated terms.

(RAJNISH R. VYAS, J)

(ANIL S. KILOR, J)