



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

13 WRIT PETITION NO. 1463 OF 2026

Yogesh Yadavrao Bokde And Another

VERSUS

The State Of Maharashtra And Others

...

Advocate for the Petitioner : Mr. Prashant Madhav Nagargoje

AGP for Respondents-State: Mr. N. D. Batule

...

**CORAM : ARUN R. PEDNEKER AND
VAISHALI PATIL-JADHAV, JJ.**

Dated : February 09, 2026

ORAL ORDER :

1. Heard the learned Counsel for the petitioners and the learned AGP appearing for the respondent-State.

2. The petitioners challenge the interim order dated 04/02/2026 passed by the Maharashtra Administrative Tribunal, Bench at Aurangabad, in Original Application (Stamp) No. 35 of 2026, whereby the learned Tribunal declined to grant interim relief and refused to stay the reversion orders dated 13/12/2025, 19/01/2026, and 30/01/2026.

3. The petitioners are working on the promotional post of Supply Inspecting Officer (Class-II) in the Food, Civil Supplies and Consumer Protection Department. They were promoted on 06/09/2024 and have continuously worked on the promotional post for more than one year.

4. It is submitted that due to temporary personal and medical difficulties

and heavy workload arising out of vacant posts, the petitioners submitted a request in September 2025 seeking reversion to their earlier post of Supply Inspector (Class-III). The respondent-Department, however, did not take any decision on the said request for nearly three months.

5. During the said interregnum, the circumstances of the petitioners changed and, prior to implementation of the reversion, the petitioners withdrew their request by communication dated 16/12/2025, expressing their intention to continue on the promotional post. Despite such withdrawal and in the absence of any relieving or transfer orders, the respondent-Department proceeded to accept the earlier request and passed the impugned reversion orders, resulting in change of pay scale from Class-II to Class-III.

6. Aggrieved thereby, the petitioners approached the Maharashtra Administrative Tribunal seeking stay of the reversion orders. The learned Tribunal, however, declined to grant interim relief, observing that any action taken would be subject to the final outcome of the Original Application.

7. The learned Counsel for the petitioners assails the impugned order

contending that reversion is impermissible in view of the Government Resolution dated 01/08/2019, particularly clause 'ओ' thereof. It is submitted that once the names of the petitioners are included in the promotion list, withdrawal from promotion or reversion is not permissible. It is further submitted that although the petitioners initially sought reversion, the request was withdrawn prior to its implementation. Reliance is also placed on the case of another similarly situated officer, whose reversion request was withdrawn and was not acted upon by the authorities. On these grounds, interim stay of the impugned reversion orders is sought.

8. On a *prima facie* examination of clause 'ओ' of the Government Resolution dated 01/08/2019, it appears that the said clause operates in a situation where an employee refuses promotion or withdraws from promotion before assuming charge, thereby affecting the availability of eligible candidates for promotion. The said clause does not, *prima facie*, prohibit reversion in a case where the employee has accepted the promotion, assumed charge, and thereafter voluntarily sought reversion after working on the promotional post for a considerable period.

9. In the present case, the petitioners admittedly accepted the promotion, joined the promotional post, and worked for more than one year. They themselves sought reversion and the respondent-Department

acted upon the said request. The interpretation sought to be placed by the learned Counsel for the petitioners on the Government Resolution does not, *prima facie*, operate in favour of the petitioners at this interlocutory stage.

10. The issues raised involve interpretation of service conditions, applicability of the Government Resolution, and factual aspects, which are matters falling within the domain of the Tribunal. This Court, therefore, does not propose to enter into the controversy at the interim stage.

11. In view of the above, no case for grant of interim relief is made out. The Tribunal shall take a final call on the subject on its own merits, in accordance with law, and uninfluenced by any observations made herein.

12. Consequently, the petition stands dismissed.

(VAISHALI PATIL-JADHAV, J.)

(ARUN R. PEDNEKER, J.)

vj gawade/-.