



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

24 WRIT PETITION NO. 4111 OF 2026

Amolsinh S/o Pratapsinh Gour
Age : 65 Years, Occu : Pensioner
R/o. : Flat no. 501, Flamingo Society, Near Indus
School, Chikalthana MIDC Aurangabad
Tq. & Dist. Aurangabad

... PETITIONER

VERSUS

1. The State of Maharashtra
Through its Secretary,
Home Department,
Mantralaya, Mumbai.
2. The State of Maharashtra
Through its Secretary,
Finance Department,
Mantralaya, Mumbai.
3. The Director General of Police,
Mumbai
4. Principal,
Police Training Centre,
Jalna.

... RESPONDENTS

Adv. Sontakke Sandeep B. for the Petitioner
Mr. P. K. Lakhotiya, AGP for State

**CORAM : NITIN B. SURYAWANSHI AND
VAISHALI PATIL-JADHAV, JJ.**

DATE : 20.04.2026

ORAL JUDGMENT: [Per Nitin B. Suryawanshi, J.]

. Rule. Rule made returnable forthwith and heard finally at
the admission stage.

2. By this petition the petitioner challenges the order passed by the Maharashtra Administrative Tribunal in M.A. No. 94/2024 in O.A.St. No. 171/2024, thereby rejecting the MA filed by the petitioner seeking condonation of delay of 05 years, 06 months and 28 days caused in filing the O.A.

3. The petitioner stood retired on 30.06.2017. He filed representation on 27.08.2023, in which he has prayed for grant of advance increment and other consequential monetary benefits.

The Tribunal has held that the statutory period of limitation of one year was lapsed on 30.06.2018. The period from 15.03.2020 to 31.03.2022 is excluded in view of the judgment of the Hon'ble Supreme Court due to COVID-19 pandemic situation.

The argument of the petitioner that, since the decision is not taken in his representation, there is continuing cause of action did not find favour with the Tribunal.

4. The Tribunal, therefore, dismissed the M.A., holding that no sufficient cause is shown by the petitioner for condonation of delay caused in filing O.A. We are of the view that Tribunal has adopted a hyper-technical approach.

5. The petitioner, being a beneficiary and since his representation seeking additional increments was pending with the respondents, the same can be termed as continuing cause of action.

6. A simple direction was sought by the petitioner to the respondents to take decision on his representation. Admittedly, the representation is still pending for consideration and has not been decided by the respondents.

7. In this view of the matter, we are inclined to allow the writ petition. In the result, writ petition is allowed. The impugned order dated 08.08.2025 in O.A. Stamp No. 171/2024 passed by Maharashtra Administrative Tribunal is quashed and set aside.

8. Respondent Nos. 3 and 4 are directed to consider the representation of the petitioner dated 27.08.2023 in accordance with the rules and Government Resolutions covering the cause of the petitioner within a period of twelve (12) weeks from the date of receipt of copy of this order.

9. Writ Petition is accordingly disposed of.

10. Rule is made absolute in the above terms.

[VAISHALI PATIL-JADHAV, J.]

[NITIN B. SURYAWANSHI, J.]