



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

WRIT PETITION NO. 2226 OF 2025

Valmik S/o. Panjabrao Hiwanj
.Vs.
State of Maharashtra and others

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

Court's or Judge's orders.

Ms Smita Dashputre, Advocate for the petitioner/s
Mr D. P. Thakare, Addl.GP for respondent Nos. 1 to 4/State

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.
DATED : 27th MARCH, 2026.

Heard learned counsel for the petitioner.

2. By way of present writ petition, the petitioner is challenging the order dated 25.10.2024 passed by the learned Maharashtra Administrative Tribunal, Nagpur (for short 'the learned Tribunal') in Original Application (OA) No. 1065 of 2024.

3. Perusal of the order dated 25.10.2024 reveals that the learned Tribunal after recording the findings that the impugned order of dismissal, which was passed in the year 2011 and which was confirmed by the Government of Maharashtra, in the appeal in the year 2012, was challenged by the petitioner before the learned Tribunal after passage of 12 years by filing the original application in the year 2024.

4. The learned Tribunal held that the petitioner had not filed any application for condonation of delay and

accordingly, the OA was dismissed on the ground of limitation, holding that the limitation of one year in approaching the learned Tribunal has already expired.

5. However, we are of the considered opinion that if the learned Tribunal was of the view that the OA is barred by limitation, the learned Tribunal ought to have directed the learned counsel for the applicant, therein, to file an application for condonation of delay thereby pointing out the reasons for not approaching the Tribunal within a stipulated period of one year.

6. If the opportunity would have been granted to the petitioner/applicant, probably he would have pointed out the sufficient cause for not approaching the Tribunal within the limitation period.

7. In view of the above, we set aside the impugned order dated 25.10.2024 passed by the learned Maharashtra Administrative Tribunal, Nagpur in Original Application No. 1065 of 2024.

8. Liberty is granted to the petitioner to file proper application for condonation of delay substantiating the reasons for not approaching the learned Tribunal within stipulated period of one year from the date of the impugned order.

9. The learned Tribunal is further directed to decide the aforesaid application for condonation of delay in accordance with law and on its own merit.

10. The period of delay from the date of filing of the original application before the learned Tribunal in the year 2024 shall be taken into consideration.

The writ petition stands **disposed of** in the above terms. No order as to costs. Pending applications, if any, also stand disposed of.

[RAJ D. WAKODE, J]

[ANIL S. KILOR, J.]

Namrata