



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

WRIT PETITION NO. 3058 OF 2026

State of Maharashtra, thr. Principal Secretary, Department of Animal Husbandry &
Dairy Development & others.

.Vs.

Manohar Gopalrao Layse

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

Court's or Judge's orders.

Ms S. S. Jachak, Addl.GP for petitioners/State

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.
DATED : 17th JUNE, 2026.

CIVIL APPLICATION NO. 1070 OF 2026

Heard.

2. The petitioners/applicants have filed this application for amendment of the petition thereby explaining the delay of more than two years in challenging the order of learned Maharashtra Administrative Tribunal, Nagpur Bench, Nagpur.

3. The civil application is **allowed**.

4. The necessary amendment be carried out forthwith.

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5. Heard learned Additional Government Pleader for the petitioners.

6. The petitioners-State has approached this Court seeking challenge to the impugned judgment dated



15/03/2024 passed by the learned Maharashtra Administrative Tribunal, Nagpur Bench, Nagpur in Original Application No.259 of 2020. By virtue of the aforesaid judgment, the learned Tribunal has directed the petitioners /original respondents to pay second time bound promotion of ACPS as per Government Resolution dated 01/04/2010 and to pay all the consequential benefits to the original applicant within a period of four months after the receipt of the order.

7. Ms S.S. Jachak, learned Additional Government Pleader for the petitioners has vehemently argued that since the promotional post of Junior Engineer was abolished at Akola and as there was no post available on the said establishment, the learned Tribunal has committed an error by directing the petitioners/original respondents to grant time bound promotional pay scale of the post of Junior Engineer to the present respondent.

8. Perusal of the judgment reveals that the learned Tribunal has given a specific finding that the learned Presenting Officer could not explain as to whether there was such requirement in the relevant Government Resolution of 2010 i.e. for granting promotional pay and the availability of the post. In fact, the Government Resolution dated 20/07/2001, particularly Clauses 4 and 5 (at page 62 of the record), shows that the State introduced the scheme of time-bound promotion to grant the benefit of a promotional pay scale to employees who are unable to secure regular



promotion for various reasons, such as the non-availability of promotional posts, as in the case of the present respondent.

9. The fact that there is no promotional post of Junior Engineer available at Akola, cannot be a valid reason to deny the respondent the benefit of time-bound promotion. On the contrary, it is all the more reason that he should have been granted benefit of the time bound promotion as he could not have been promoted to the said post for non-availability of the same.

10. In view of the above, we are of the considered opinion that there is no perversity in the impugned judgment and accordingly, the writ petition is **dismissed**. No order as to costs.

[RAJ D. WAKODE, J]

[ANIL S. KILOR, J.]

Namrata