



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

WRIT PETITION NO.5846 OF 2025

STATE OF MAHARASHTRA, THR. ADDL. SECRETARY, MINISTRY OF
INDUSTRIES, POWER AND LABOUR DEPT., AND ORS
VS
MANOHAR LAXMANRAO NIRATKAR AND OTHERS

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

Court's or Judge's orders

Mr. N.R. Patil, AGP for the petitioners/State
Mr. N.C. Phadnis, Advocate for the respondents

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.

DATE : 28.04.2026

1. Heard.
2. While arguing the matter, the learned AGP submits that certain points raised in the additional affidavit, demonstrating the dis-entitlement of the respondents to claim time-bound promotion, have not been considered or dealt with by the learned Maharashtra Administrative Tribunal, Nagpur. It is contended that the issues raised in the additional affidavit go to the root of the matter and are crucial for determining the entitlement of the respondents.
3. It is further submitted that the point of limitation has not been considered and further a reliance was placed on the judgment of the Supreme Court of India, in the case of *K.C. Sharma and others Vs. Union of India and others* reported in 1997 (6) SCC 721, which has no relevance to the facts of the present petition.
4. As per the settled legal position, if the grievance of

the petitioners is that certain points were raised but not dealt with by the Tribunal, the proper remedy is to approach the learned Tribunal and seek adjudication on those points.

5. In that view of the matter, it would be appropriate for the petitioners to approach the learned Maharashtra Administrative Tribunal, Nagpur by pointing out the issues raised but not dealt with.

6. Accordingly, the writ petition is **disposed of** with liberty to the petitioners to approach the learned Maharashtra Administrative Tribunal, Nagpur for the above referred purpose.

7. All points are kept open.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)