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wp5868.21

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

28 WRIT PETITION NO. 5868 OF 2021

MAHADEO NIVRUTTI CHATE

VERSUS

THE STATE OF MAHARASHTRA THR ITS DEPARTMENT OF GENERAL

Mr. S.S. Jadhavar, Advocate for the petitioner.

Mr. P.K. Lakhotiya, AGP for the respondent-State.

Mr. S.R. Shirsath, Advocate for respondent No.2.

**CORAM : KISHORE C. SANT &
JITENDRA JAIN, JJ.**

DATE : 07.09.2026

PC :-

01. Heard learned Advocate for the petitioner. The petitioner has approached this Court seeking benefits of Assured Career Progression Scheme, namely, आश्वासित प्रगती योजना. It is case of the petitioner that he was appointed on 01.04.1981. He completed 12 years service in 1993. By Government decision dated 08.06.1995, the Government came out with a scheme of granting benefits of promotional post after completion of 12 years in service. The scheme was to come into effect from 1st October, 1994. It is case of the petitioner that on 1st October, 1994, he became entitled to get benefit of promotional post. He was appointed as "Mistry". So he was entitled to get benefits of post of Assistant Engineer. However, he was not given the benefit. The petitioner further submits

that on 20.07.2001, the Government again took a decision to give second time promotion to which he became entitled in 2006.

02. Learned Advocate for the petitioner thus vehemently argued that he should be given benefits of two promotions. First in 1994 and second on completion of 12 years after 1994. He has annexed to the petition a copy of judgment dated 07.12.2017 passed in Writ Petition No. 6572 of 2016. He submits that the case of the petitioner is covered under said judgment and prays for allowing this Writ Petition.

03. Learned Advocate Mr. Shirsath appearing for respondent – Zilla Parishad opposes this Writ Petition. However, he is not in a position to distinguish present case from the judgment of this Court in Writ Petition No. 6572 of 2016.

04. Considering the submissions and the position, we hold that the petitioner is entitled to receive benefits of आश्वासित प्रगती योजना as introduced by the Government vide resolution dated 20.07.2001. The benefit of the scheme be made applicable to the petitioner including the benefits of pay and arrears etc. and fix the pension accordingly within a

period of six months from today. If the arrears are not paid within six months, the amount shall carry interest @ 6% per annum from the date of this order.

05. This Writ Petition is accordingly allowed and disposed off.

[JITENDRA JAIN, J.]

[KISHORE C. SANT, J.]