

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 6052 OF 2014

THE ASSOCIATION OF SUBORDINATE SERVICES OF ENGINEERS,
MAHARASHTRA STATE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Petitioner : Mr. Khandare N. B.
AGP for Respondents: Mr. K.G. Patil
.....

**CORAM : S. V. GANGAPURWALA AND
V. K. JADHAV, JJ.**

DATED : 10th JUNE, 2015

P.C. :-

1. The petitioner vide present writ petition seeks direction against the respondents to take appropriate decision regarding formulation of the scheme as contemplated under the Government Circular dated 3.7.2009 issued by the General Administrative Department, Government of Maharashtra.

2. Mr. Khandare, the learned counsel submits that earlier advance increments were being given. The Government is contemplating to give 1% increase in the salary and decision was to be taken by the Government as per the said circular. Though the said circular is issued on 3rd July, 2009, no decision is being taken on the same for almost six years. The learned counsel submits that the old

scheme is also kept in abeyance till the new policy is framed in that regard.

3. Mr. Patil, the learned AGP submits that formulation of an incentive scheme deals with a policy matter which requires a long-drawn process. The policy is to be framed by the bureaucrats and then it is to be placed before the Cabinet. It would not be possible to lay down a time schedule for the same. The matter granting advance increments in the form of incentive to the employees in various departments of the Government is a policy matter and the same is under active consideration of the Government. However, as it involves financial implications, queries are raised by the Financial Department and the matter is once again referred to the said department after rectifying the said queries.

4. We have considered the submissions canvassed by the learned counsel for the respective parties, so also we have gone through the affidavit in reply filed by the respondent. The respondent does not dispute that they are required to frame a policy with regard to grant of Advance Increment and steps have been taken in that regard. The queries raised by the Finance Department have been rectified. The circular is of the year 2009. Much time has lapsed. It would be appropriate for the respondents to take decision in that

regard expeditiously.

5. In the light of the above we pass the following order.

ORDER

I. The respondents shall expedite the decision with regard to the advance increment as contemplated vide circular dated 3rd July, 2009. The decision in that regard be taken expeditiously. Of course, we are aware that it would require some time, however, the State is expected to address the said issue also considering the fact that more than 6 years have lapsed. Though we do not expect the State to adhere to the time by mathematical precision, still it is expected that the State would take decision expeditiously, preferably within a period of 9 months from today.

II. Writ Petition stands disposed of. No costs.

(V. K. JADHAV, J.)

(S. V. GANGAPURWALA, J.)

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