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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.1915/2015

Anil Radhakishan Dhage.

...Petitioner..

Versus

The State of Maharashtra
and three others.

...Respondents...

.....

Shri Prakashsingh B. Patil, Advocate for petitioner.

Shri K.G. Patil, AGP for respondent nos.1 & 2.

Shri E.P. Sawant, Advocate for respondent nos.3 & 4.

.....

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

DATE: 14.08.2015

ORDER :

1] Heard learned counsel for the parties.

2] Learned counsel for the petitioner submits that the petitioner is not given the benefits of the Fifth Pay Commission. The petitioner is appointed on compassionate ground. He is to be treated as regular employee and the

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benefit of the Fifth Pay Commission is required to be extended to him.

3] Learned counsel for the respondent nos.3 & 4 submits that the respondent nos.3 & 4 have forwarded the proposal to the respondent no.1 in this regard. Right since the year 2010, the proposals are forwarded by the respondent nos.3 and 4 from time to time. If the respondent no.1 approves the same, then the respondent nos.3 & 4 would give the benefit of the Fifth Pay Commission to the petitioner, but it depends upon the approval being granted by the respondent no.1.

4] It appears that the proposal (Exhibit E) is already submitted by the respondent nos.3 and 4 to the respondent no.1 and subsequently also the proposals are submitted in this regard by the respondent nos.3 & 4, but the respondent no.1 has not taken any decision upon the same.

5] In case such proposals are pending with the respondent no.1 with regard to according benefits of the Fifth Pay Commission to the employees like the petitioner, then the respondent no.1 shall take decision on the same expeditiously on its own merits and in accordance with law and policy and preferably within a

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period of six months. Writ petition is disposed of. No order as to costs.

(V.K. JADHAV, J.)

(S.V. GANGAPURWALA, J.)