

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

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

Court's or Judge's orders

WRIT PETITION NO. 8823 OF 2014

SUVARNA SUDHIR DANDARE
VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Petitioners : Mr.Deshpande Abhishek C.

AGP for Respondents/State: Mr.S.B. Pulkundwar.

Advocate for R.Nos.2 & 3: Mr.Deshmukh Rajendra S.

...

CORAM : S.S. SHINDE & A.M. BADAR, JJ.

Dated: SEPTEMBER 01, 2015

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Heard learned Counsel for the petitioner and learned Counsel for respondent No.2 & 3. Learned Counsel for the petitioner, on instructions, submits that since the petitioner has been promoted, prayer clauses (B) and (C) stand satisfied. He submits that so far as prayer clause (D) is concerned, the respondents have refused to pay arrears. He invited our attention to the averments in the affidavit-in-reply filed by respondent No.4 and in particular, paragraph 12 thereof. He submits that the prayer of the petitioner for payment of arrears of increments has been rejected relying upon the

provisions of sub-para (3) of para 3.4 of the Departmental Enquiry Manual. He invited our attention to the said clause and submitted that said para deals with the increments and not about the arrears.

2 In the light of submission of the learned Counsel for the petitioner, learned Counsel for respondents No.2 and 3, on instructions, submits that the prayer (D) in the petition will be considered afresh and decision will be taken within a period of three months from today.

3 In the light of the discussion herein above, petition stands disposed of.

(A.M.BADAR, J)

(S.S. SHINDE, J)