

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

WRIT PETITION NO. 586 OF 2015

(The State of Maharashtra & others .vs. Shri Vijaysingh Narayansingh Rane)

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*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

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Court's or Judge's Orders

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Mrs. B.P. Maldhure, A.G.P. for petitioners.
Mr. Deshpande, Advocate for respondent.

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**CORAM : B.P.DHARMADHIKARI &
S.B.SHUKRE, JJ.**

DATE : APRIL 1, 2015.

Heard.

The Maharashtra Administrative Tribunal has relied upon Rule 3(1) of Maharashtra Consumer Protection Rules, 2000 to hold applicant before it entitled to receive salary at minimum stage of the District Judge appointed in State Judicial Service. Submission of learned A.G.P. is that Chairman of District Consumer Forum is not working in subordinate judiciary and, therefore, report of Shetty Commission or Padmanabhan Commission is not relevant. Our attention is also invited to answer given on 9.1.2008 under Right to Information Act.

After hearing learned A.G.P. as also Mr. Deshpande, learned Counsel for respondent, we find that while answering question no.8 on 9.1.2008, grievance that the pay structure of Chairman was not revised was accepted and it was informed that necessary amounts

were being paid. The present O.A. came to be filed sometime in 2011 pointing out the inaction of State Government thereafter.

Reference to report of Shetty Commission or Padmanabhan Commission is only to point out the pay structure. It is not for claiming direct application of those reports. Rule 3 framed by State Government in this respect is very clear and whatever scale/salary is received by a new District Judge, i.e. at minimum stage automatically becomes applicable to respondent.

M.A.T. has appreciated this position only.

We, therefore, find that no case is made out.

The Writ Petition is rejected. No costs.

J.

JUDGE

JUDGE