

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH : NAGPUR

WRIT PETITION NO.5459 OF 2014

(Rewatram s/o Shravan Dongarwar vs. State of Maharashtra and others)

Office Notes, Office Memoranda of

Coram, appearances, Court's orders Court's or Judge's orders

or directions and Registrar's orders.

CORAM : B.P. DHARMADHIKARI AND
 P.N. DESHMUKH, JJ.

DATED : AUGUST 24, 2015

Heard Adv. Murkute for petitioner and
Smt. Maldhure, learned Assistant Government
Pleader for respondent nos.1 and 2. Nobody appears
for respondent nos.3 and 4 though they are served.
The record shows that they have been served prior to
17/6/2015.

The petitioner is seeking fixation in
appropriate higher pay scale as he has completed 12
years of service. Submission is that as he is
receiving lesser amount of salary from 2004, he is
also entitled to 18% interest.

Smt. Maldhure, learned Assistant
Government Pleader is relying upon reply-affidavit.
The reply-affidavit shows that respondent nos.1 and

2 have accepted the case of petitioner. They submit that the petitioner has completed qualifying service of 12 years from 2/5/1995 to 1/5/2007, but as his employer (respondent nos. 3 and 4) did not forward necessary proposal, exercise of fitment and fixation could not be completed.

In view of this stand in reply and on account of failure of respondent nos.3 and 4 to respond to the notice issued by this Court, we direct respondent nos.3 and 4 to prepare suitable proposal in accordance with law within a period of six weeks from today and to forward it to respondent no.2. The respondent no.2 shall, after receipt of such proposal, further process it within next four weeks and suitable fitment of petitioner shall be decided within said period. If necessary, opportunity of hearing shall be given to petitioner as also to respondent nos.3 and 4.

With above directions and keeping all contentions open, we dispose of the petition. No costs.

JUDGE

JUDGE

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