

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.3207 OF 2011**Champalal S/o Dhondiram Chikse Vs. The State of Maharashtra
and others.**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr.A.S.Golegaonkar, advocate for the petitioner.
Mr.S.K.Tambe, A.G.P. for the State.

**CORAM : S.V.GANGAPURWALA AND
K.L.WADANE, JJ.**
Date : 21.09.2016.

PER COURT :

1. Heard.

2. Mr.Golegaonkar, learned counsel for the petitioner submits that the petitioner had filed Original Application before the Maharashtra Administrative Tribunal, seeking revised pay in the scale of Rs.5000-8000. The learned counsel submits that as per the Government Resolution dated 20.7.2001, the petitioner was promoted under the ACPS, however, the pay-scale of the petitioner is fixed at Rs.4,500-7000. According to the learned counsel, the Tribunal has failed to consider that the petitioner is not claiming pay-scale of a higher post but is claiming revised pay-scale, as such reliance on clause 3 of the Government Resolution dated 20.7.2001

by the Tribunal is misplaced.

3. Learned A.G.P. supports the order of the Tribunal.

4. We have considered the submissions, so also have gone through the judgment of the Tribunal. The petitioner was already given the benefit of the new pay-scale prior to 1.1.1996 and as per clause 3 of the said Government Resolution dated 20.7.2001, those who have been benefited with the scheme after 1.1.1996, to them the new scale is available. The petitioner was benefited prior to 1.1.1996 and, therefore, clause 3 of the said Government Resolution was not applicable to the petitioner. The other relief claimed by the petitioner has been granted to the petitioner i.e. of deputation allowance.

5. Considering above, no error has been committed by the Tribunal while passing the impugned judgment.

6. In light of that, the Writ Petition is disposed of. No costs.

(K . L . WADANE , J .)

(S . V . GANGAPURWALA , J .)

Dt.21.09.2016.
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