

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2344 OF 2008
WITH
CIVIL APPLICATION NO. 10659 OF 2015

Ramrao Kishanrao Pawar.
Age : 45 years, Occ. Service,
R/o. Jintur, Dist. Parbhani. ...Petitioner.

Versus

1. The State of Maharashtra.
2. The Directorate of the Municipal Council
Administration, Secretariate, sea face,
Poch Kanwala Marg, Warali, Mumbai. ...Respondents.

Advocate for Petitioner : Shri Ajinkya Kale
h/f. Shri S.B. Talekar.
AGP for Respondent No. 1 : Shri B.A. Shinde.

CORAM : RAVINDRA V. GHUGE &
SUNIL K. KOTWAL, JJ.
Dated : 27th November, 2017

ORAL JUDGMENT : (PER RAVINDRA V. GHUGE, J.) :-

1. By this petition, the petitioner has put forth the following
prayers at Clause 10 (B), (C) and (D) :-

“B. By issuing writ of mandamus or order or directions
against the respondents. Respondents be directed to
consider the claim of the petitioner as per Govt. resolution
14th June 2000 w.e.f. 1989 with all monitory benefits and

to pay the same to the petitioner.

C) Pending the hearing and final disposal of this petitioner respondents are directed to pay regularly salary in the pay scale (Rs. 6500-10500 as per fifth pay commission) for the post of Junior Engineer Like petitioner working in Municipal Council.

D) The respondents kindly be directed to give the effect of the revise pay scale Rs. 2000-32000/- (as per fifth pay commission of Rs. 6500-10500/-) to the petitioner with retrospective effect from which petitioner is entitle and other monitory benefits with effect from the date of appointment.”

2. We have considered the submissions of the learned advocate for the petitioner and the learned AGP on behalf of the State.

3. It is pointed out that, by communication dated 06/05/2015, by the Desk Officer, Urban Development Department addressed to respondent No. 2/Director of Municipal Council Administration, Mumbai, a request is made

to grant all the benefits to the petitioner as mentioned in the communication in the light of the decision taken by the Urban Development Department. The grievance of the petitioner, is therefore, redressed, but for the fact, as is voiced by the petitioner, that respondent No. 2 is not implementing the said decision.

4. It is also brought to our notice that in a matter of similar nature in Writ Petition No. 10594/2010 filed by Ramesh Jadhav Patel Versus The State of Maharashtra and others, this Court has issued directions for the grant of revised pay scale as per the government resolution dated 11/08/1995.

5. We do not find from the record before us any impediment as regards the implementation of the directions set out in the communication dated 06/05/2015.

6. Considering the above, this petition is partly allowed with the direction to respondent No. 2, to implement the decision of the Urban Development Department as is set out in the

communication dated 06/05/2015, as expeditiously as possible and preferably within a period of eight weeks from today. Rule is made partly absolute, in the above terms.

7. Pending Civil Application No. 10659/2015, does not survive and stands disposed of.

(SUNIL K. KOTWAL, J.)

(RAVINDRA V. GHUGE, J.)

S.P.C.