

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.10123 OF 2017

Suvarna Anna Patil : Petitioner
versus
The State of Maharashtra & anr. : Respondents.

Mr. N Y Chavan for the Petitioner.
Mr. B V Samant, AGP for the Respondent/State.
Mr. P P Jadhav for the Respondent No.2

**CORAM : R. M. SAVANT &
NITIN W. SAMBRE, JJ.**
DATE : 01st NOVEMBER 2018

P.C.

1 The Petitioner above named was working as a Junior Clerk with the Respondent No.2 Municipal Corporation and has superannuated. The Petitioner claims revision of her pay scale by adding two increments on account of her improvements in the qualification since 1995 and to pay her arrears on the said basis. The Petitioner by prayer clause (ii) claims the relief that the Petitioner be granted first time bound pay scale as also second time bound pay scale after 12 and 24 years of service.

2 There is no dispute about the fact that the Petitioner's services have been regularized and on account of the order passed by the State Government dated 29/09/2018 (Exhibit R-J-1, page 75) relaxing the age of appointment for the Petitioner. It is also not disputed that the Petitioner is being paid pension but without giving her the aforesaid benefits. The fact that

the policy of the State Government to give first time bound benefit after putting in 12 years of service and the second time bound benefit after putting in 24 years of service is applicable to Municipal Corporations is not in dispute.

3 In our view, therefore it would be just and proper to issue the following directions to the Respondent No.2 Corporation.

A] The Respondent No.2 Corporation to consider the case of the Petitioner for additional increments on the basis of her acquiring better qualification in the year 1995 during the tenure of her services as also consider her case for first as well as second time bound pay scale benefit after 12 and 24 years of service. If the Petitioner is entitled to such benefits then requisite correction in the pension payable to the Petitioner be carried out. The aforesaid exercise to be carried out within 8 weeks from date. With the directions as aforesaid, the above Writ Petition is disposed of.

[NITIN W. SAMBRE, J]

[R. M. SAVANT, J]