

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 1041 OF 2021

The State of Maharashtra and others .. Petitioners

Versus

Bhimrao Ananda Patil .. Respondent

Shri K. N. Lokhande, A.G.P. for Petitioners/State.

AND

WRIT PETITION NO. 1042 OF 2021

The State of Maharashtra and others .. Petitioners

Versus

Ajabrao Rambhau Patil .. Respondent

Shri P. K. Lakhotiya, A.G.P. for Petitioners/State.

AND

WRIT PETITION NO. 1068 OF 2021

The State of Maharashtra and others .. Petitioners

Versus

Shankar Daga Chaudhari .. Respondent

Shri K. N. Lokhande, A.G.P. for Petitioners/State.

AND

WRIT PETITION NO. 1071 OF 2021

The State of Maharashtra and others .. Petitioners

Versus

Bhagwat Trimbak Chaudhari .. Respondent

Shri K. N. Lokhande, A.G.P. for Petitioners/State.

**CORAM : S. V. GANGAPURWALA AND
SHRIKANT D. KULKARNI, JJ.
DATE : 20TH JANUARY, 2021.**

FINAL ORDER :

. All these writ petitions are based on same set of facts and involve common question of law. Therefore, same are decided by this common order.

2. The present respondents had approached the Maharashtra Administrative Tribunal seeking declaration that they are eligible for grant of deemed date of promotion on the post of Junior Engineer from the date of passing professional/qualifying examination and eligible to get further consequential benefits. So also assailing the communication issued by the respondent No. 1 in the original application rejecting their claims for grant of deemed date of promotion.

3. The Tribunal under the impugned judgment set aside the impugned communication and held that, the respondents are eligible to get the deemed date of promotion on the post of Junior Engineer from the date of passing professional/departmental examination.

4. The Tribunal relied upon the judgment of the Division Bench of this Court at Principal Seat at Bombay in Writ Petition 10623 of 2014, W. P. No. 10624 of 2014, W. P. No. 10625 of 2014 and O. A. Nos. 9266 of 2017, decided under judgment dated

17.07.2018. Under the said judgment, the High Court uphold the order of the Tribunal granting deemed date of promotion.

5. We have heard the learned Assistant Government Pleader appearing in respective writ petitions. The learned A. G. P. submit that, decision of the High Court in the writ petitions referred to above will be limited to the employees therein and that the respondents are not entitled for the deemed date of promotion.

6. Upon confronted with the judgment of this Court at the Principal Seat at Bombay dated 17.07.2018 in Writ Petition No. 10623 of 2014 with other connected writ petitions, the learned A. G. P. accede that the present respondents are similarly situated as the parties in the above referred writ petitions.

7. The judgment of the Division Bench of this Court at Principal Seat at Bombay dated 17.07.2018 in Writ Petition No. 10623 of 2014 with other connected writ petitions still holds the field.

8. For the reasons recorded in the judgment dated 17.07.2018 in Writ Petition No. 10623 of 2014 with other connected writ petitions, the present writ petitions would also meet the same fate.

9. In view of that, the impugned judgment of the Tribunal

based upon the judgment of the Division Bench of this Court at Principal Seat dated 17.07.2018 in Writ Petition No. 9266 of 2018 with other connected writ petitions need no interference. The writ petitions as such are dismissed. No costs.

[SHRIKANT D. KULKARNI, J.] [S. V. GANGAPURWALA, J.]

bsb/Jan. 21