

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

WRIT PETITION NO.5664 OF 2021

KADUBA SAYAJI NAGARE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioners : Mr. Laxman H. Kawale
AGP for Respondent/State : Mr. A.S. Shinde
...

**CORAM : MANGESH S. PATIL AND
SANDEEP V. MARNE, JJ.**

DATE : 03.08.2022

PER COURT :

The learned advocate for the petitioners and the learned AGP are unanimous that considering the facts presented in the present dispute, number of decisions of this Court would govern the fact situation and the same course will have to be followed, as has been done in the matter of **Raghunath Dhondiba Hanumante and Ors. Vs. The State of Maharashtra and Ors. (WP No.10993/2019 dated 05.09.2019)** as also the earlier order in Writ Petition No.12699/2018 with connected Writ Petitions decided on 03.04.2019.

2. Even the division bench at the Principal Seat in the matter of **Raosaheb Shripati Desai and Ors. Vs. The State of Maharashtra (WP No.12531/2019 dated 01.04.2021)** has *inter alia* held that the circular dated 03.07.2009 and the Government Resolution dated 24.08.2017 will not affect the petitioners as far as benefit of advance increment which has

already been extended to them. Pertinently, the Supreme Court has dismissed the SLP (C) No.10789/2022 in respect of the order passed in the matter of **Raosaheb Shripati Desai** (supra) on 20.07.2022.

3. In view of the above, the Writ Petition is allowed in terms of prayer clause 'B'.

(SANDEEP V. MARNE, J.)

(MANGESH S. PATIL, J.)

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