

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.1504 OF 2020

ANANT MANOHARRAO JOSHI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr.S.B.Sontakke, Advocate for the petitioner.
Mr.S.K.Tambe, AGP for respondent Nos. 1 to 3.
Mr.R.J.Godbole, Advocate for respondent Nos. 4 and 5.

(CORAM : RAVINDRA V. GHUGE AND
ARUN R. PEDNEKER, JJ.)

DATE : SEPTEMBER 20, 2022

PER COURT :

1. The learned Advocate for the petitioner submits on instructions that the petitioner would be pressing prayer clause 'C' which reads as under :-

“C. By issuing writ of mandamus or any other appropriate writ, order or direction in like nature, respondent No.4 may kindly be directed to decide the proposal submitted by respondent No.5 in April 2014 for grant of advance increments to petitioner with all consequential benefits.”

2. Since the petitioner has prayed for a direction that the proposal submitted by him, be adjudicated upon by respondent No.5, we are not

required to go into the merits of the proposal submitted by respondent No.5 to respondent No.4. Suffice it to say that this Court (Coram : Mangesh S.Patil and Sandeep V. Marne, JJ.) have delivered an order on 06.09.2022 in WP No.9591/2019 filed by Sayed Shoukat Ali Osman Ali and others Vs. The State of Maharashtra and others alongwith similar matters, by relying upon the judgment delivered on 30.08.2022 in Review Application (Civil) No.170/2022 in WP No.13760/2019 (The State of Maharashtra and another Vs. Rupchand Narayan Shinde and others). It is observed in paragraph No.6 of the order dated 06.09.2022, as under :-

“6. We, therefore, dispose of the petitions by declaring that the Government Resolution dated 24.08.2017 would apply prospectively. Petitioners, who became due and eligible for grant of advance increments for outstanding work prior to 24.08.2017, would be entitled to grant of the same. Such of the petitioners who are yet to be granted the actual benefits of advance increments may be granted such benefits. In respect of those petitioners who were already granted advance increments and in respect of whom recoveries have been effected or sought to be effected, such action of recovery is set aside. Consequential benefits be paid to respective petitioners within a period of eight weeks from today.”

3. In view of the above, we direct respondent No.4 to decide the

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proposal tendered by respondent No.5 in April 2014, as expeditiously as possible and in any case on or before 11.11.2022.

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)