

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

915 WRIT PETITION NO.373 OF 2022

SATISH BHIMRAO KULKARNI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. S. B. Sontakke
AGP for Respondents-State : Mr. S. K. Tambe

...

WITH

WRIT PETITION NO.2850 OF 2022

JANARDAN BABURAO MURME AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioners : Mr. S. B. Sontakke
AGP for Respondents-State : Mr. S. K. Tambe

...

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

DATE : 25th August, 2022

PER COURT :

1. The learned Government Pleader submits that all these employees are the employees of the State Government and the grievance is against the State Government of Maharashtra for the grant of additional increments to the Government Servants for outstanding work.

2. They are also raising an issue with regard to the Government

Resolution dated 24/08/2017, issued by the General Administration Department, State of Maharashtra, deciding to refuse such benefits of advance/ additional increments to the employees of the State Government. The learned AGP, therefore, submits that both these matters would lie before the learned Maharashtra Administrative Tribunal in the light of Section 5 read with Section 3 (q) of the Administrative Tribunals Act, 1985.

3. The learned Advocate for the petitioners submits that these matters, after being disposed off from the file of this Court, be transmitted to the learned Maharashtra Administrative Tribunal At Aurangabad, to be registered as original applications.

4. In view of the above, these petitions are disposed off.

5. The learned Advocate for the petitioner submits that an element of delay is likely to crop up and relies upon the law laid down by the Hon'ble Supreme Court in the matter of **Collector, Land Acquisition, Anantnag Vs. Mst. Katiji, AIR 1987 SC 1353** and **Esha Bhattacharjee Vs. Managing Committee of Raghunathpur Nafar Academy, (2013) 12 SCC 649**. We trust

the learned Tribunal to consider this issue.

6. The Registry shall transmit these matters to the Maharashtra Administrative Tribunal to be registered as original applications, expeditiously.

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)

vjg/-.