

(1)

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

909 WRIT PETITION NO.3965 OF 2020

**KALYAN MACHINDRA BETALE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Mr S. B. Bhosale, Advocate for petitioners;
Mr S. G. Karlekar, A.G.P. for respondent No.1
Mr S. V. Deshmukh, Advocate for respondent Nos.2, 3 & 5

**CORAM : RAVINDRA V. GHUGE
AND
SANJAY A. DESHMUKH, JJ.**

DATE : 12th October, 2022

PER COURT:

1. The petitioners have put forth prayer clauses (C) and (D), which read as under :-

“C. By issue of writ of mandamus or any other appropriate writ, order or directions in the like nature, to direct the respondents to grant additional increment for “Excellent work” in view of the orders of this Hon’ble Court in Writ Petition No.6480/2019 dated 06.06.2019.

D. By issuing writ of mandamus or any other appropriate writ, order or directions in the like nature, the respondents may kindly be directed to pay/release monetary benefits of additional increments for most excellent/outstanding.”

(2)

2. Reliance is placed on an order passed by this Court, dated 01/08/2022 in Writ Petition No.3620/2020, filed by Khushal Kisanrao Khavane Vs. State of Maharashtra and others and a group of petitions, wherein certain directions have been issued in the light of the various judgments delivered by this Court and at the Principal Seat.

3. The learned Advocate representing respondent Nos.2, 3 and 5, Competent Authority, submits that the prayers put forth by the petitioners may not be similar to the prayers, that are noticed in the order of this Court, dated 01/08/2022.

4. The learned Advocate for the petitioners submits that, this petition can be disposed off, with directions to respondent Nos.2, 3 and 5, to scrutinize each case of the petitioners in the light of the law laid down by this Court, vide order dated 06/06/2019, in Writ Petition No.6480/2019 (Raosaheb Mango Patil and others Vs. State of Maharashtra and others) and the order dated 01/08/2022 (supra), and after confirming the rights of the petitioners, the Authorities can proceed to grant the benefits, as have been claimed.

(3)

5. In view of the above, this petition is disposed off. Needless to state, respondent Nos.2, 3 and 5 would be at liberty to scrutinize each case of the petitioners in the light of the law referred to herein above. After confirming the rights of the petitioners, the benefits available to them, would be extended, on or before 31/01/2023. In the event, any petitioner is found to be ineligible, the Authorities would pass a reasoned order and convey the said order to the concerned petitioner/s, expeditiously, so as to enable them to avail of a remedy as may be permissible in law.

(SANJAY A. DESHMUKH, J.) (RAVINDRA V. GHUGE, J.)

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