

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

916 WRIT PETITION NO.552 OF 2020
WITH WP/559/2020

KARBHARI RAJARAM BABAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AN OTHERS
AND

917 WRIT PETITION NO.1348 OF 2020

RAVINDRA GOVINDRAO TANDALE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER
AND

918 WRIT PETITION NO.1532 OF 2020
WITH WP/2037/2020 WITH WP/1559/2020

SANJAY MOHAN SHELKE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS
AND

919 WRIT PETITION NO.2616 OF 2020

BHAUSAHEB VITTHAL FAND AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS
AND

920 WRIT PETITION NO.2619 OF 2020

ASHOK MARUTI PANDIT AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
AND

921 WRIT PETITION NO.2626 OF 2020

RAJENDRA GOVINDRAO SADGIR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

- 2 -

AND
922 WRIT PETITION NO.2627 OF 2020

SANTOSH KARBHARI TAKALE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
AND

923 WRIT PETITION NO.3614 OF 2020

KISHOR NARSING GAIKWAD AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS
AND

924 WRIT PETITION NO.3618 OF 2020

MARUTI LAXMANRAO SURYAWANSHI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
AND

925 WRIT PETITION NO.3619 OF 2020

NAGSEN ANNARAO KAMBLE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
AND

926 WRIT PETITION NO.3622 OF 2020

CHANDKHAN AKBARKHAN PATHAN AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
AND

927 WRIT PETITION NO.3623 OF 2020

NANDKISHOR MADHAVRAO GABALE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
AND

929 WRIT PETITION NO.4642 OF 2022

SAVITA ANGAD PANDHARE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
AND
1 WRIT PETITION NO.10401 OF 2022

ASHRUBA RAMRAO MUNDE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS
AND
2 WRIT PETITION NO.10402 OF 2022

HANUMANT SHRIPATI MALI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS
AND
3 WRIT PETITION NO.3599 OF 2020

SANJAY GURUSHIDEAPPA MALBHAGE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr.E.S.Murge, Mr.S.K.Mathpati, Mr.Kavita Bhale h/f Mr.S.B.Dushing,
Advocates for the petitioners in respective petitions.

Mr.S.G.Sangle, Mr.P.S.Patil, Mr.S.K.Tambe, Mr.A.R.Kale, Mr.S.G.Karlekar,
Mr.P.K.Lakhotiya, AGPs' for State.

Mr.A.D.Aghav, Advocate for respondent Nos. 2 and 3 in WP Nos.
559/2020, 552/2020, 2616/2020, 2619/2020, 2626/2020, 2627/2020.

Ms.Suvarna M.Zaware and Ms.Manjushri Narwade, Advocates for
respondent Nos. 2 and 3 in WP No.1532/2020 and 1559/2020.

Mr.VM.Vibhute, Advocate for respondent No.6 in WP No.2037/2020.

Mr.B.B.Bhise, Advocate for respondent Nos. 2 and 3 in WP
No.4642/2022.

Mr.P.R.Tandale, Advocate for respondent Nos. 5 and 6 in WP
No.10402/2022.

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

DATE : OCTOBER 06, 2022

PER COURT :

1. The learned Advocates for the petitioners places reliance upon a recent order passed by the Co-ordinate Bench dated 19.09.2022 in Writ Petition No.3938/2021. He, therefore, submits that, for the reasons and the conclusions set out in the order dated 19.09.2022, this petition can also be disposed off.

2. The learned Advocates for the respondents agree, but with a caveat that the case of the petitioners would be scrutinized by respondent Nos. 2 and 3 and upon assessing the eligibility of the petitioners, they would be granted the benefits within 8 weeks from today.

3. In view of the above, these petitions are partly allowed. The respondents/Zilla Parishad are at liberty to verify the cases of the petitioners as regards their eligibility for the grant of advanced/additional increment in the light of the GR dated 31.10.1989

Needless to state, those petitioners, who are found to be eligible, would be paid their legal dues within 8 weeks from today. In the event, some of the petitioners are found to be not eligible, a reasoned order would be passed in each case setting out the adverse circumstances and such order shall be served upon each of such petitioners within a period of 3 weeks from the date of the order.

4. In so far as Writ Petition No.3623/2020 (Nandkishor Madhavrao Gabale and others Vs. The State of Maharashtra and others) is concerned, the learned AGP adds that these petitioners are entitled or not, will have to be scrutinized. We have no hesitation in observing that this Court has always directed a verification exercise, if not already performed, to be carried out and based on the entitlement of the individual petitioners, payments be granted. As such, even in this matter, let the concerned respondents conduct a verification exercise and thereafter make the payments to those candidates / petitioners, who are found to be eligible. This exercise be completed within 8 weeks from today. Needless to state, if any claim of any petitioner is invalidated by the State in so far as his entitlement is concerned, a reasoned order in each of such cases be passed and the said order be

served upon the concerned petitioner within 3 (three) weeks from the date of the passing of the order. The petitioner would then be entitled to challenge the said order by availing of a remedy, as is permissible in Law. Those who are found entitled under the GR dated 31.10.1989 and were never paid till the date of the GR dated 24.08.2017 was introduced, they would be entitled for entire arrears.

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)