

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.5155 OF 2021

DAMODAR NIVRUTTIRAO SHRIKHANDE
VERSUS
SUPERINTENDENT OF POLICE AND ANOTHER

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Mr. Girish Kulkarni, Advocate for the petitioner.
Smt. V.N. Patil-Jadhav, A.G.P. for the respondents.

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CORAM : **C.V. BHADANG AND
SANDIPKUMAR C. MORE, JJ.**

DATE : **4 JULY 2022**

ORDER :

The petitioner Damodar Nivruttirao Shrikhande, since deceased, was working as a Senior Clerk in the office of the first respondent – Superintendent of Police Nanded District Nanded. After his retirement, a proposal for pay verification was sent to the Pay Verification Unit. The Pay Verification Unit, by a communication dated 28 November 2019, had returned the same on the ground that computation of the pay was incorrect and required the office of the first respondent to look into the matter and send a correct proposal for pay verification.

2. The petitioner challenged the communication from the Pay Verification Unit before the Maharashtra Administrative Tribunal (MAT) at Aurangabad in Original Application No. 24 of 2020. The learned Acting Chairman of MAT by an order dated 10

February 2020 has refused to entertain the application under Section 19 of the Administrative Tribunals Act, 1985, which order is subject-matter of challenge in this petition.

3. Upon hearing the learned Counsel for the parties, we do not find it necessary to dwell on the question, whether the order passed by the Pay Verification Unit could be said to be an order which is amenable to challenge under Section 19 of the Administrative Tribunals Act, 1985. This is for the reason that all that the Pay Verification Unit has required the office of the first respondent is to look into the matter and resubmit the proposal for such pay verification.

4. In that view of the matter, the petition is disposed of. The first respondent shall look into the pay fixation of the deceased Damodar Nivruttirao Shrikhande in respect of the Assured Career Progression Scheme (ACP) as per the Government Resolutions dated 20 July 2001 and 1 April 2010 and after carrying out appropriate correction, shall resubmit the same to the Pay Verification Unit, within a period of six weeks from today. Upon such proposal being submitted, the Pay Verification Unit attached to the office of the second respondent, shall carry out the necessary exercise of verification of pay, within four weeks thereafter.

SANDIPKUMAR C. MORE, J.

C.V. BHADANG, J.