

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

WRIT PETITION NO.12616 OF 2022

**SAMBHAJI SURYABHAN BHADGALE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND ANOTHER**

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Advocate for the Petitioners : Shri Laxman H. Kawale h/f
Ms.Syyed Gausiya Bi Noora
AGP for Respondent 1 : Shri S.K. Tambe
Advocate for Respondent 2 : Shri A.D. Aghav

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

DATE :- 15th December, 2022

Per Court :-

1. The learned advocate 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 the respondents 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, this Writ Petition is partly allowed.

4. The respondent/Zilla Parishad is 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.

5. Needless to state, those petitioners, who are found to be eligible, would be paid their legal dues within eight 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 three weeks from the date 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, would be entitled for entire arrears.