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

923 WRIT PETITION NO.11634 OF 2022

**SUDHA CHANDRAKANT DUBLE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS**

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Mr S. B. Sontakke, Advocate for petitioners;
Mrs R. P. Gaur, A.G.P. for respondents/State
Mr A. B. Kadethankar, Advocate for respondent No.3

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

DATE : 23rd November, 2022

PER COURT:

1. The petitioners have put forth prayer clause (B), which reads as under :-

B) By issuing writ of Mandamus or any appropriate writ, order or direction in like nature, to direct the respondents that, the petitioner may be given one notional increment for the purpose of pensionary benefits for the period of 1st July 2015 to 30th June 2016 to petitioner as per superannuation dates of respective petitioners in view of the order of Hon'ble Supreme Court of India."

2. The learned Advocates representing the respondents, jointly submit that, these petitioners have never approached any authority, seeking redressal of their grievance. In the absence of

(2)

making any request for such redressal, they have directly approached this Court, praying for issuance of a writ of mandamus. Without approaching the authorities, an order is sought from this Court, on the premises, as if the respondents are not discharging their duties and are not exercising the jurisdiction duly vested in them by law.

3. The learned Advocate for the petitioners submits that, the petitioners would make a representation to respondent No.3 and annex various orders passed by this Court. The petitioners pray that the said representation be considered on its individual merits and in the light of the orders of this Court.

4. In view of the above, this petition is disposed off. Let the petitioners prefer individual representations to respondent No.3 and also tender the various orders passed by this Court. Let such representations be filed on or before 15/12/2022.

5. We request respondent No.3 to consider the representations of the petitioners on their merits, by carefully scrutinizing each of the cases and after due verification, if these petitioners are found to be eligible for monetary benefits, respondent No.3 would endeavour to pass appropriate orders. Let this exercise be

(3)

completed by 31/03/2023. Needless to state, if the claim of any of the petitioners or similarly situated employees, is found to be ineligible, an order may be passed assigning reasons and the said order be communicated to the concerned person.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)

sjk