

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

916 WRIT PETITION NO.12048 OF 2022

SANDIP JAGANNATH PATIL AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

Mr.Ketan D. Pote h/f Mr.A.G.Ambetkar, Advocate for the petitioners.
Mr.N.E.Deshmukh, Advocate for respondent Nos. 3 and 4.
Mr.S.G.Sangle, AGP for the respondent/State.

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

DATE : DECEMBER 01, 2022

PER COURT :

1. All these petitioners claim to have been awarded certificates for excellent work. They are entitled for advance increments by virtue of the GR dated 31.10.1989. This Court has held in several judgments and orders that such benefits are available to such candidates until the decision of the Government to stop such increments in the light of the recommendations of 7th Pay Commission, by virtue of the GR dated 24.08.2017. It has also been concluded by this Court that the said GR would apply prospectively.

2. In view of the above, this petition is disposed off.

3. Respondent Nos. 3 and 4 are at liberty to carry out a verification exercise and assess the individual entitlement of these petitioners. If found eligible, they would be entitled for the payment of increments. Arrears, if any, will have to be paid. Let this exercise be completed on or before 15.02.2023. In case, any of the petitioners are found to be dis-entitled to such increments, the authorities would issue a reasoned order setting out the grounds on which the candidate is held to be dis-entitled, and the said order be served upon the said candidate within a period of 21 days from the date of its issuance. Thereafter, the aggrieved candidate would be at liberty to avail of a remedy as is permissible in Law.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)