

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Writ Petition No.2802 of 2018

Shri Sukhdeo S/o Sahadeo Shendre

Versus

Government of Maharashtra and others

Office Notes, Memoranda of Coram,
appearances, Court's orders or directions Court's or Judge's orders
and Registrar's order

Shri Sharad Thakre, Advocate (Appointed) for Petitioner.
Shri A.M. Kadukar, Assistant Government Pleader for Respondents.

CORAM : A.S. CHANDURKAR & URMILA JOSHI-PHALKE, JJ.
DATE : AUGUST 20, 2022

The petitioner was serving with the respondents as Forest Guard. He superannuated from service on 31-3-2015. Since he was not granted the second benefit of the Assured Career Progress Scheme in terms of the Government Resolution dated 1-4-2010, he approached the Maharashtra Administrative Tribunal for grant of that relief. The Tribunal by the impugned judgment dated 13-4-2017 allowed the Original Application and directed grant of benefit of the second time-bound promotion to the petitioner as per the Government Resolution dated 1-4-2010 along with other consequential reliefs. According to the petitioner since the interest on the said amount has not been granted, he has claimed the same in the present writ petition.

We have heard the learned counsel for the petitioner as well as the learned Assistant Government Pleader for the respondents. It is seen that the petitioner has been held entitled to the benefit of the second time-bound promotion in terms of the Government Resolution dated 1-4-2010. He approached the Tribunal for claiming the aforesaid relief only after his superannuation. There is no provision pointed out on the basis of which the said benefit would be granted along with interest. The Tribunal has directed payment of the aforesaid benefit within a period of three months from the date of the

judgment.

It is clarified that if the aforesaid payment has not been made to the petitioner within three months of the order, the petitioner would be entitled to claim the amount of arrears with interest at the rate of 4% per annum.

With these observations, the writ petition is disposed of.

The fees of the learned counsel appointed to represent the petitioner be paid in accordance with the rules.

(URMILA JOSHI-PHALKE, J.)

(A.S. CHANDURKAR, J.)

Lanjewar