

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

WRIT PETITION NO. 2067/2022

(GIRIDHAR ANANTRAO KARANKAR & OTHERS **VERSUS** THE STATE OF MAHARASHTRA & OTHERS)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Shri P.S. Kshirsagar, counsel for the petitioners.
Mrs. K.R. Deshpande, Assistant Government Pleader for the R-1 to 4.
Shri V.B. Gawali, counsel for the R-5.

CORAM : A. S. CHANDURKAR AND URMILA JOSHI-PHALKE, JJ.

DATE : JULY 13, 2022.

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RULE. Rule made returnable forthwith and heard the learned counsel for the parties.

The challenge raised in this writ petition is to the judgment of the Maharashtra Administrative Tribunal dated 23.03.2022 in Original Application No.609 of 2020. By that judgment, the said original application preferred by the respondent no.5 herein was allowed and the order of promotion dated 12.01.2021 passed in favour of the present petitioners was set aside. Since the petitioners are aggrieved by the order passed by the Tribunal this writ petition has been filed.

During the pendency of the writ petition on 22.04.2022 time was granted to the learned Assistant Government Pleader to consider whether the respondent no.5 could be granted promotion since she had completed the requisite period of service in the feeder cadre. Thereafter on 02.05.2022 further time was granted to the learned Assistant Government Pleader to obtain necessary instructions. Affidavit-in-reply on behalf of the respondent nos.3 and 4 has now been filed in which it has been stated that in the meeting of the Departmental Promotion Committee held on 03.06.2022 deemed date of promotion has been granted to the respondent no.5 as 28.02.2021. Similarly, the petitioners have also been granted respective deemed dates of promotion.

The learned counsel for the respondent no.5 as well as the learned counsel for the petitioners submit that their respective claims are satisfied with the grant of aforesaid deemed date of promotion.

In view of aforesaid, the order passed by the Maharashtra Administrative Tribunal on 23.03.2022 is modified in terms of the recommendations of the Departmental Promotion Committee. The petitioners as well as the respondent no.5 would be entitled to consequential benefits flowing from the grant of deemed date of promotion.

With these directions, the writ petition is disposed of. Rule accordingly. No order as to costs.

(URMILA JOSHI-PHALKE, J.)

(A. S. CHANDURKAR, J.)

APTE