

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

WRIT PETITION (WP) NO. 2075/2020

1. Anil S/o Purushottam Shukla
Age: 58 Years, Occu: Service
R/o: Waghwada, Near Adv. R.S. Gawali
Civil Line, Washim Tq Dist Washim
Permanent Address:
Shukla Sadanika, Near Dr. Kelkar Hospital
Ramdas Peth, Akola Tq Dist Akola
2. Sunil Fakira Raut
Age: 55 years, Occu: Service
R/o: Bhim Nagar, Ramabai Chowk,
Old City Akola taluka District Akola
3. Dnyaneshwar Pandurang Kalaskar
Age: 57 Years, Occu: Service
R/o: Guru Datta Nagar Near
Vinaykumar Parashar School Dabki
Road Akola Ta Dist Akola,
4. Ramdhan Ramsing Rathod,
Age: 57 Years, Occu: Service
R/o: Shivneri Colony, Khanapur
Road, Patur, Tq Patur Dis. Akola
5. Baban Amrut Ukey
Age: 56 Years, Occu: Service
R/o: Nisarga Row Houses,
Duplex No. 03, Arogya Nagar,
Akola Tq. District Akola
6. Dhananjay Narayanrao Kulkarni
Age: 50 Years, Occu: Service
R/o: Yadgar Nagar, Near Aai
Mangal Karyalaya, By Pass Road
Karanja (Lad) Tq Karanja (Lad)
District Washim

7. Sandip Trimbakrao Bhanegaonkar
Age: 49 Years, Occu: Service
R/o Yojna Park, Civil Line,
Washim Tq Dist Washim.
8. Akram Khan Isaque Khan
Age: 38 Years, Occu: Service
R/o Old Weekly Market,
Hafizpura, Mangrulpir
Tq. Mangrulpir District Washim.
9. Sandip Mukundrao Mahajan
Age: 54 Years, Occu: Service
R/o Sant Nagar, Kaulkhed Road,
Akola Tq. Dist Akola.
10. Habib Khan Mehboob Khan
Age: 54 Years, Occu: Service
R/o Kalal Chawl, Behind Neeta
Hotel, Akola Tq District Akola.
11. Ashok Bajirao Shirsat,
Age: 59 Years, Occu: Retired
R/o Ashray Nagar Dabki Road,
Court Colony, Akola. Tq. and
District Akola.
12. Narendra Haribhau Hurlpade,
Age: 59 Years, Occu: Retired
R/o Gajanan Nagar Galli No 7,
Dabki road Old City Akola
Tq Dist Akola.
13. Devendrasingh Jagannathsingh
Rotwal, Age: 60 Years,
Occu: Retired, R/o Kaveri
Apartment Flat No. 08, Kela Plot
Jatharpeth Akola Tq Dist Akola.
14. Vinayak Wasudeorao Tarale,
Age: 59 Years, Occu: Retired
R/o Pahariya House Near
Kolhatkar Mangal Karyalaya Lahan
Umari Akola, Tq. & Dist Akola

..... PETITIONER(S)

// VERSUS //

1. The State of Maharashtra
Through its Secretary,
General Administration
Department Mantralaya, Mumbai
2. The State of Maharashtra
Through its Secretary,
Law and Judiciary Department,
Mantralaya, Mumbai.
- ~~3. The Hon'ble Principal District
Judge, Akola, Tq. & District Akola.~~
3. Hon'ble Court of District &
Sessions Judge, Akola,
Through its Registrar.
- ~~4. The Hon'ble Principal District Judge,
Washim, Tq. and District Washim.~~
4. Hon'ble Court of District &
Sessions Judge, Washim,
Through its Registrar.

.... RESPONDENT(S)

**Amended as per Court's order
dated 28.08.2020.**

Shri A.S. Dhore, Advocate for the petitioners
Miss Trupti H. Udeshi, AGP for respondent 1 to 4

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

DATED : 06/07/2022

ORAL JUDGMENT : (PER:- A. S. CHANDURKAR, J.)

Rule. Rule made returnable forthwith. Heard the learned
counsel for the parties.

2. The petitioners are employees of District Court, Akola and have prayed for grant of additional increments pursuant to the orders dated 19.12.2006, 06.09.2008 and 31.12.2008 passed by the office of learned Principal District and Sessions Judge, Akola.

3. The learned Government Pleader had issued a communication dated 23.12.2021 to learned Principal District and Sessions Judge, Akola to consider the decision of this Court in Writ Petition No. 51/2021 (*Vinayak D. Ghaisas and ors. Vs. The State of Maharashtra and ors.*) dated 16.09.2021 decided at the Principal Seat.

4. The learned Principal District and Sessions Judge, Akola on 01.01.2022 has issued a communication to the office of learned Government Pleader stating therein that the relief sought by the petitioners herein can be granted in view of the order passed in the case of *Vinayak D. Ghaisas (Supra)*.

5. In view of the aforesaid, the writ petition is allowed in terms of prayer clause (i) which reads as under:-

“i) By issuing writ of mandamus or any appropriate writ, order or direction in like nature, to direct the respondents for Re-fixation of pay scale of the petitioners, in 6th Pay Commission/ Pay Scales by including additional increments as per the order dated 31.12.2008, 19.12.2006

and 06.09.2008 at (Annexure – C) collectively, passed by the learned Principal District & Sessions Judge, Akola.”

6. The respondents shall take necessary steps to grant aforesaid relief to the petitioners within a period of eight weeks from the date of receipt of this judgment.

7. Rule is made absolute in the aforesaid terms with no order as to costs.

(URMILA JOSHI-PHALKE, J.)

(A.S.CHANDURKAR, J.)

SANDIP
MAHADEV
GATE

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