

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

WRIT PETITION NO. 4524/2021

1. Kishor S/o Ramchandra Khanke,
aged about 59 years, Occ. Retired,
R/o Jagannath Baba Nagar, Datala Road, Chandrapur.
2. Shridhar S/o Natthuji Samarit,
aged about 60 years, Occ. Retired,
R/o Ajintha Apartment, Onkar Nagar,
Haveli Garden Road, Chandrapur.
3. Pradip Nilkanthrao Patil,
aged about 55 years, Occ. Service,
R/o Indraprasth Layout, Tilak Ward, Near Govt.
Rest House, Warora, Tah. Warora, Distt. Chandrapur.
4. Ashok S/o Rajeshwar Rajgadkar,
aged about 59 years, Occ. Retired,
R/o Kalaram Mandir, Samadhi Ward,
Chandrapur, Tah. & Distt. Chandrapur.
5. Subhash S/o Devendra Bangre,
aged about 57 years, Occ. Service,
R/o C/o Aher Wada, behind Kattayani Hospital,
Balaji Ward, Pathanpura Road, Chandrapur.
6. Rajendra Chirkutaji Kotkar,
aged about 53 years, Occ. Service,
C/o Mahakali Computer Typing Institute, Opp. S.P.
Law College, Tadoba Road, Tukum Ward No.1,
Chandrapur.
7. Kishor S/o Vitthalsingh Yeotikar,
aged about 58 years, Occ. Service,
R/o Ekvira Niwas, Jagannath Baba Nagar,
Chaitraban Galli, Datala Road, Chandrapur.
8. Charandas S/o Nanaji Sapat,
aged about 55 years, Occ. Service,
R/o Sneh Nagar, Saibaba Ward, Near Ekvira
Apartment, Chandrapur, Tah. & Distt. Chandrapur.
9. Sarla W/o Manoj Bokde,
aged about 54 years, Occ. Service,
R/o P.H. Nagar, Ramala Talao Udyan Road,
Old Power House Wing-2, Flat No.6, Chandrapur,
Tah. & Distt. Chandrapur.

10. Ramesh Mansaram Badwaik,
aged about 57 years, Occ. Service,
R/o B.T. Titirmare House, Near Nagpure
Flour Mill, Tukum, Chandrapur.
11. Mangaldas S/o Tukaram Jiwane,
aged about 55 years, Occ. Service,
R/o Bhiwapur Ward, Old B.N.R. Chowk,
Near Lalbahadur School, Chandrapur,
Tah. & Distt. Chandrapur.
12. Satish Laxmanrao Dharme,
aged about 59 years, Occ. Retired,
R/o Flat No.B-205, Bluebell, The Cliff
Garden (TCG), Hinjewadi Phase-III, Maan
Road, Pune, Post Infotech Park Post Office, Pune.
13. Bhagwan Vishwambher Kharche,
aged about 59 years, Occ. Service,
R/o C/o P.C. Dhongade, Civil Lines, Guruji Ward,
Bramhapuri, Distt. Chandrapur – 442 601.

PETITIONERS

.....VERSUS.....

1. State of Maharashtra, Through its Secretary,
General Administration Department,
Mantralaya, Mumbai-32.
2. State of Maharashtra, through its Secretary,
Law and Justice Department,
Mantralaya, Mumbai-32.
3. Principal District Judge, Chandrapur,
District Chandrapur.

RESPONDENTS

Shri Bhushan Dafle, counsel for the petitioners.
Shri A.M. Deshpande, Additional Government Pleader for the respondent nos.1
and 2.
Shri P.S. Khubalkar, counsel for the respondent no.3.

CORAM : A. S. CHANDURKAR AND SMT. M.S. JAWALKAR, JJ.

DATE : 29TH MARCH, 2022.

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

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

2. The petitioners who are thirteen in number were/are in service of the Law and Judiciary Department of the State of Maharashtra serving at the District Court, Chandrapur. They seek benefit for having rendered outstanding service in the form of additional increments pursuant to the order dated 21.04.2007.

3. On 17.02.2022 the following order was passed:-

“The learned counsel for the petitioner submits that the issues raised in this writ petition have been decided in Writ Petition No.6317/2019 (Vijaykumar Sambayya Mathpati and ors. vs. The State of Maharashtra and ors.) decided on 06/06/2019. He therefore submits that similar orders be passed in this writ petition.

Shri P.S. Khubalkar, learned counsel for respondent No.3 seeks time to examine the aforesaid. If the respondent No.3 finds that the case of the petitioners is not covered by the aforesaid judgment, reply may be filed on record. However, if it is found that the case of the petitioners is covered by the aforesaid decision, it would not be necessary to file any reply.

Stand over three weeks.”

Today on instructions, Shri P.S. Khubalkar, learned counsel for the respondent no.3 submits that according to the respondent no.3 the case of the petitioners appears to be similar and covered by the judgment of this Court in Writ Petition No.6317 of 2019 dated 06.06.2019 decided at the Aurangabad Bench of this Court. He however points out that it is only the petitioner no.1 who has made a representation for grant of such benefit. Other petitioners have not made any such representation and if

such representations are made the respondent no.3 would examine the same and take a decision thereon.

4. Accordingly, the following order is passed:-

- (I) The petitioner nos.2 to 13 are permitted to make a representation to the respondent no.3 for grant of additional increment for having rendered outstanding service as per the order dated 21.04.2007. Such representations may be made within a period of three weeks from today.
- (II) The representation made by the petitioner no.1 is already pending with the respondent no.3. Within a period of six weeks from receipt of such representations from the petitioner nos.2 to 13, a decision be taken by the respondent no.3 on all the representations.
- (III) The entitlement of the petitioners shall be examined and if they are found entitled to the benefit of the Government Resolution dated 24.08.2017 such benefits shall be released in their favour in accordance with law.

5. With these directions, the writ petition is disposed of. Rule is made absolute in aforesaid terms. No costs.

(SMT. M.S. JAWALKAR, J.)

(A.S. CHANDURKAR, J.)

APTE