

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

WRIT PETITION NO.4615 OF 2021

The Education Officer (Primary), Zilla Parishad, Wardha

-vs-

Ram S/o Madhaorao Halde, Tah. Ner, Dist.Yavatmal

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri N. M. Kolhe, Advocate for petitioner.

Shri D. I. Charlewar, Advocate for respondent No.1.

Ms T. Udehsi, Assistant Government Pleader for respondent Nos.2 and 3.

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

DATE : July 20, 2022

The challenge raised in this writ petition is to the direction issued by the Maharashtra Administrative Tribunal holding the respondent No.1 entitled for increment and consequential pensionary benefits in accordance with law. Considering the fact that the respondent No.1 has superannuated on 30th June, the Tribunal in the impugned order has referred to the judgment of the Madras High Court in W.P.No.15732/2017 dated 15/09/2017 (*Ayyamperumal vs. Registrar, Central Administrative Tribunal, Chennai and ors.*) and has followed the same. In *Pandurang Vithobaji Dhumne and ors. vs. State of Maharashtra and ors.* **2022(2) Bom.C.R. 644** this Court has referred to the aforesaid judgment of the

Madras High Court and the fact that the Special Leave Petition preferred against that judgment had been dismissed. Thereafter similar relief has been granted.

We therefore find that the Tribunal has decided the Original Application in accordance with law laid down in the aforesaid judgment. Hence there is no reason to interfere with the impugned order.

The Writ Petition is accordingly dismissed with no order as to costs.

(Urmila Joshi-Phalke, J.)

(A. S. Chandurkar, J.)

Asmita