

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

WRIT PETITION NO.3837/2021

Sandeep Ishwardas Tidke and two ors.

Vs.

The State of Maharashtra, through its Secretary, Rural Development Department & others.

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

Court's or Judge's Order

Shri P.S.Kshirsagar, Advocate for petitioners.

Ms. N. P. Mehta, Assistant Government Pleader for respondent no.1.

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

DATE :- MARCH 02, 2022.

Heard.

Though the reply has been filed on behalf of the respondent nos. 2 and 3, there is no appearance on their behalf. However with the assistance of the learned counsel for the petitioners and the learned Assistant Government Pleader, we have perused the submissions filed on record by the respondent nos. 2 and 3.

The petitioners seek tribal incentive allowance and additional house rent allowance as admissible under the recommendations of the Sixth and Seventh Pay Commissions. This is in view of Government Resolution dated 06.08.2002. According to the Zilla Parishad, by its letter dated 05.08.2020 it had sought guidance in the matter from the State Government.

It is seen that on 16.09.2020 the State Government has issued a communication to the Chief Executive Officer, Zilla Parishad, Gondia stating therein that the employees would be entitled for incentive allowance in terms of Government Resolution dated 06.08.2002. It is further seen that the Deputy Commissioner in the appeal filed before him has on 27.01.2021 issued directions to the Chief Executive Officer, Zilla Parishad, Gondia to grant such benefits to the employees mentioned therein.

In view of aforesaid, since the Zilla Parishad has now received the instructions from the State Government and the directions have also been issued by the Deputy Commissioner permitting to grant such tribal incentive allowance and additional house rent allowance, the Zilla Parishad is directed to take all necessary steps in that regard and release the benefits to the petitioners who are found entitled for the same in accordance with law. Necessary steps in that regard be taken within a period of two months from the date of production of this order. The Zilla Parishad shall also release the arrears of the petitioners in aforesaid terms accordingly.

With these directions, the writ petition is disposed of. No costs.

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

(A.S.CHANDURKAR, J.)

Andurkar..