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

WRIT PETITION NO.6488 OF 2019

Dr.Avinash Janardanrao Kadam,
Aged about 57 years, occupation service,
R/o c/o Model Arts and Commerce College,
Karanja (Ghadge), district Wardha. **Petitioner.**

:: V E R S U S ::

1. State of Maharashtra, through its
Secretary, Higher and Technical Education,
Mantralaya, Mumbai-32.

2. The Joint Director of Higher Education,
Nagpur Division, Nagpur. **Respondents.**

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Shri Anand Parchure, Advocate for the Petitioner.
Mrs.K.R.Deshpande, Assistant Government Pleader for the
Respondents.

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

DATE : **5/7/2022**

ORAL JUDGMENT (Per : A.S.Chandurkar, J.)

1. Heard Shri Anand Parchure, the learned Advocate for the petitioner and Mrs.K.R.Deshpande, the learned Assistant Government Pleader for the respondents. **Rule.** Rule made returnable forthwith. Heard finally by consent of the learned counsel for the parties.

2. The petitioner seeks benefit of four advance increments as well as revised post retirement benefits in terms of Clause-11 of the Government Resolution dated 11.12.1999. In support of this

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prayer, reliance is placed on the judgment of this Court in Writ Petition No.3300 of 2010 (*Dr.Dashrath s/o Baliram Jadhao & ors vs. State of Maharashtra & anr*) decided on 15.3.2018.

3. Though affidavit-in-reply has been filed on behalf of the respondent No.2 contesting the claim made by the petitioner, we find that it would be necessary for the respondent No.2 to consider the observations of this Court in Writ Petition No.3300 of 2010.

4. Considering the aforesaid, the writ petition is disposed of by directing respondent No.2 to take into consideration the judgment of this Court in Writ Petition No.3300 of 2010 and take a decision on the petitioner's entitlement to four advance increments and revised post retirement benefits. The decision taken be communicated to the petitioner.

Rule is made absolute in the aforesaid terms. No costs.

(URMILA JOSHI-PHALKE, J.)

(A.S.CHANDURKAR, J.)

!! BrWankhede !!

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