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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

990 WRIT PETITION NO.5304 OF 2022

SUNITA GANPATRAO RAJANKAR
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

AND
1008 WRIT PETITION NO.5413 OF 2022

SURESH BHIMRAO NAGARGOJE
VERSUS
THE STATE OF MAHARASHTRA FOR SECRETARY AND
ANOTHER

AND
1009 WRIT PETITION NO.5416 OF 2022

SHAM SHESHRAO GANGADHARE
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY
AND OTHERS

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Mr D. R. Irale Patil, Advocate for petitioners;
Mr P. S. Patil, A.G.P. for respondent No.1/State
Mr P. D. Suryawanshi, Advocate for respondent No.2 in WP
Nos.5304/2022 & 5413/2022 and for respondent Nos.2 and 3 in
WP/5416/2022

**CORAM : RAVINDRA V. GHUGE
AND
SANJAY A. DESHMUKH, JJ.**

DATE : 16th February, 2023

PER COURT:**Writ Petition No.5304/2022**

1. The petitioner, in this petition, prays for a direction that respondent No.2 should act in accordance with the Government Resolution dated 10/11/1998 and grant benefit of advance increments from the effective date of October 2017, since she has been selected as 'Adarsh Gramsevak' on the occasion of 'Gandhi Jayanti' in October, 2017.

2. Having considered the submissions of the learned Advocates for the respective sides, it is apparent that, vide Government Resolution dated 24/08/2017, the benefits of advance increments to a Gramsevak, who is selected as 'Adarsh Gramsevak' on 'Gandhi Jayanti', has been discontinued. This Court has consistently held in several matters that the said Government Resolution of discontinuing the advance increments will be operative prospectively. Since the petitioner was selected as 'Adarsh Gramsevak' after the introduction of the said Government Resolution dated 24/08/2017, she would not be entitled for such monetary benefits. Hence, this petition is dismissed.

Writ Petition No.5416/2022

3. Insofar as Writ Petition No.5416/2022 is concerned, the petitioner Shri. Sham Sheshrao Gangadhare has been selected as 'Adarsh Gramsevak' on the occasion of 'Gandhi Jayanti', w.e.f. October 2016. Hence, he would be entitled for the benefits of the advance increment until 24/08/2017. This petition is, therefore, partly allowed to this extent, granting him the benefits of advance increment from October 2016 to 24/08/2017. The monetary benefits be calculated and be paid to the petitioner within three months from today. Considering the delay caused in filing this writ petition, we restrict the interest component @ 6% p.a. for the preceding three years only.

Writ Petition No.5413/2022

4. In this petition, petitioner Shri. Suresh Bhimrao Nagargoje was granted the 'Adarsh Gramsevak Award' w.e.f. 02/10/2007. The said amount is yet to be paid and the pay scale is also not calculated by the addition of the advance increment. The Government Resolution dated 24/08/2017, which is held by this Court to be operative prospectively, would entitle the petitioner to

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the benefits of the advance increment from 02/10/2007 till 24/08/2017.

5. Hence this petition is allowed. The respondent / Zilla Parishad would calculate the arrears of the increment of the petitioner and make such payment within three months from today. The pay-fixation of the petitioner will be calculated in the light of this order, by addition of the advance increment. Naturally, the benefits of the advance increment would not be paid after 24/08/2017. Considering the delay caused in filing this petition, we restrict the interest component for a period of three years preceding the date of filing of the petition.

(SANJAY A. DESHMUKH, J.) (RAVINDRA V. GHUGE, J.)

sjk