

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

190 WRIT PETITION NO.4778 OF 2023

NITIN PANDITRAO GAIKAWAD AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

....

Mr.L.V. Sangit, Advocate for the Petitioners
Mr.S.G. Karlekar, AGP for the Respondent/State.
Mrs. Anjali Dube, Advocate for Respondent No.2.

.....

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

DATED : 26th APRIL, 2023.

PER COURT :-

1. The Petitioners have put forth prayer clauses "A" and "B" as under :-

"A) For the writ of mandamus order or direction in the nature of mandamus or any other writ or direction directing the respondents to modify and grant the first ACP benefits to the- petitioners after completion of their 12 years of continuous service and to grant second ACP benefit after completion of 24 years of continuous service as per relevant Pay Scale by modifying the Pay Scale as well as to grant the difference of pay by calculating the pensionary benefits, by modifying the same accordingly with immediate effect, as per their representation **(Exhibit 'G' Colly)** herewith.

B) For the writ of mandamus order or direction in the nature of mandamus or any other writ or direction directing the respondent No.2 to decide the representations within one month, submitted by the petitioners dated 12.12.2022, 20.12.2022, 14.02.2023 **(Exhibit 'G' Colly.)** herewith with further direction to grant them the necessary up-gradation Pay Scale and other benefits as prayed by them in the representation

with immediate effect.”

2. It is submitted that the pending representations set out in prayer clause “B”, may be decided by Respondent No.2.

3. In view of the above, **this petition is disposed off** with a direction to Respondent No.2, to deal with the representations of the Petitioners as set out in prayer clause “B”, within a period of 60 days.

4. Needless to state, all the Government Resolutions, policies, circulars, judgments pronounced by the Courts, as may be cited, shall be considered by the Corporation.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE , J.)

sga/