

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

WRIT PETITION NO.3242 OF 2022

(SUDHAKAR RAMRAO TELANG...VS.. STATE OF MAH. FINANCE DEPARTMENT & OTH.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Bhushan Mohata, Advocate for Petitioner.
Shri K.L.Dharmadhikari, A.G.P. for Respondent Nos. 1 to 3.
Shri Akshay Darunde, Adv. h/f. Shri B.N.Jaipurkar, Adv. for Resp. 4 to 6.

CORAM : ANIL S. KILOR, J.
DATED : FEBRUARY 22, 2023.

1. Heard.
2. In the present writ petition, challenge is raised to the order dated 29/11/2021 passed by the Divisional Commissioner, Amravati on the appeal filed by the petitioner claiming Grade Pay as per 6th Pay Commission recommendations. During the pendency of the present writ petition, the State of Maharashtra, Finance Department issued notification dated 03/02/2023 amending Rule 7 of the Maharashtra Civil Services (Revised Pay) Rules 2009 and has given effect from 1st January 2006.
3. The learned counsel for the petitioner submits that the grievance of the petitioner as regards pay fixation in the revised pay structure has got resolved because of such notification. However, the issue of interest on the delay caused in fixation of the pay and payment of the difference of amount, still survives.

4. The learned counsel for the respondent-Zilla Parishad is not disputing this position.

5. In the circumstances, I am of the opinion that purpose would be served if the present writ petition is disposed of with liberty to the petitioner to apply for grant of interest over the delayed payment after the benefits given under the notification dated 03/02/2023 are extended to the petitioner. Accordingly, I pass the following order:

- i) The writ petition is disposed of in the above terms.
- ii) The petitioner is at liberty to apply for grant of interest on his entitlement as per the notification dated 03/02/2023, within three weeks from today.
- iii) If such representation is made, within the stipulated period, respondent No.4 shall decide the same within eight weeks from the date of filing of such representation.

The Writ Petition is **disposed of** accordingly.
No order as to costs.