

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

WRIT PETITION NO. 1574 OF 2023

Shri Raju Sitaram Barai and others

..VS..

The State of Maharashtra through its Secretary, School Education & Sports
Department, Mantralaya, Mumbai and others

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

Court's or Judge's orders

Shri A.Z. Jibhkate, Advocate for the petitioners.

Ms. S.S. Jachak, Assistant Government Pleader for the respondents.

CORAM : A. S. CHANDURKAR AND MRS. VRUSHALI V. JOSHI, JJ

DATED : JULY 03, 2023

P.C.

Rule. Rule made returnable forthwith and heard the learned counsel for the parties.

2. The petitioners were serving as Assistant Teachers/Junior Collage Teachers and retired on superannuation on the 30th June of the respective years. The petitioners seek the benefit of notional increment that becomes due on the 01st July of the year in which they superannuated.

3. The learned Counsel for the petitioners has today tendered a copy of the Government Resolution dated 28.06.2023 which is taken on record and marked "A" for identification. In the said Government Resolution the Finance Department has in accordance with the decision in the Writ Petition No. 1881/2023 dated 16.02.2023 at the Aurangabad Bench directed payment of notional increment that becomes due on 01st July of the year in which the employees have superannuated.

4. In view of this Government Resolution dated 28.06.2023 each petitioner would be entitled to receive notional increment that has become due and payable on the 01st July of the respective years.
5. In view of above said, the following directions are issued :
 - (i) The respondents Nos.3 and 4 shall take all necessary steps to ensure that the petitioners receive the notional increment that has become due on 01st July of the year in which the petitioners have superannuated. Said respondents shall obtain such proposals from the respective Management where the petitioners were serving and after examining the same in the light of the Government Resolution dated 28.06.2023 release the notional increment in accordance with law. Necessary steps in that regard be taken within a period of three months of receiving copy of this order.
6. Rule is made absolute in aforesaid terms. No costs.

(MRS. VRUSHALI V. JOSHI, J.)

(A. S. CHANDURKAR, J.)

Kirtak