



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

WRIT PETITION NO. 1854/2017

Laxman Domaji Raut, aged 63 years, Occ. Retired, r/o Dandekar
Layout, Rohini Society, Wadgaon road, Yavatmal.

PETITIONER

.....VERSUS.....

1. Maharashtra Jeevan Pradhikaran, CIDCO Bhavan,
Southern Wing, Belapur, Navi Mumbai, through its
Member Secretary.
2. The Chairman, Maharashtra Jeevan Pradhikaran,
Nagpur Circle, near C.P. Club, Telankhedi Road,
Civil Lines, Nagpur.
3. The Executive Engineer, Maharashtra Jeevan Pradhikaran
(Management), Godhni Road, Yavatmal.
4. The State of Maharashtra, through Principal Secretary,
Department of Water Supply and Sanitation,
Mantralaya, Mumbai 400 032.

RESPONDENTS

Shri P.D. Meghe, counsel for the petitioners.
Shri D.M. Kakani, counsel for the respondent nos.1 to 3.
Ms N.P. Mehta, Assistant Government Pleader for the respondent no.4.

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

DATE ON WHICH ARGUMENTS WERE HEARD : AUGUST 31, 2023

DATE ON WHICH JUDGMENT IS PRONOUNCED : NOVEMBER 04, 2023

JUDGMENT (PER : A.S. CHANDURKAR, J.)

The challenge raised in this writ petition is to the Government Resolution dated 21.10.2011 that has been issued by the Department of Water Supply and Sanitation of the State of Maharashtra to the extent it deprives the employees of the Maharashtra Jeevan Pradhikaran – MJP from arrears of pay revision for the period from 01.01.1996 to 31.10.2011.

2. This writ petition was heard alongwith **Writ Petition No. 7148 of 2019** [*Namdeorao Baliram Paikrao & Others Versus Maharashtra Jeevan Pradhikaran, Mumbai & Others*] wherein employees of MJP had sought grant of benefit of the Assured Career Progression Scheme. The said petitioners had also sought benefit of the Second Time-Bound Promotional Pay-Scale from 01.10.2006. In the aforesaid writ petition, it was held that the parity sought in the matter of applying benefits under the Assured Career Progression Scheme to employees from the Water Supply and Sanitation Department could not be automatically sought. The same was dependent upon the financial position of the employer.

3. In addition to the contentions raised by the learned counsel for the petitioner in *Namdeorao Baliram Paikrao & Others* (supra), the learned counsel for the petitioner has referred to the Government Resolution dated 02.06.2021 that has been issued by the Public Works Department granting the benefit of arrears of revision of pay-scale to Tracers engaged with the Public Works Department. The arrears have been granted from 01.01.1996 to 31.03.2006. On this basis, it was urged that the petitioner who also served as Tracer with MJP till his retirement as Assistant Draftsman on 31.07.2011, similar benefit should be granted.

4. We find that for reasons assigned in the judgment in the case of *Namdeorao Baliram Paikrao & Others* (supra), the relief on the basis of parity cannot be granted. MJP being an independent autonomous body, it would be necessary for it to consider and grant similar benefits dependent upon its financial position.

5. Hence, for the reasons recorded in *Namdeorao Baliram Paikrao & Others* (supra) we do not find that the relief prayed for by the petitioner can be granted. The writ petition stands dismissed. Rule stands discharged with no order as to costs.

(MRS. VRUSHALI V. JOSHI, J.)

(A.S. CHANDURKAR, J.)