

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

WRIT PETITION NO.3258 OF 2022

[Mrs. Chitra w/o Gajanan Deshpande .vs. State of Maharashtra and others]

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

Court's or Judge's orders

Mr. N.D. Thombre, Advocate for the petitioner,
Mr. M.K. Pathan, Assistant Government Pleader for respondent 1,
Mr. K.S. Malokar, Advocate for respondents 2 to 4.

CORAM : ROHIT B. DEO AND
M. W. CHANDWANI, JJ.
DATE : 19th JUNE, 2023.

The prayer clause reads thus :

- (i) Direct the Respondent No. 2 to 4 - Chief Executive Officer, District Health Officer, Medical Officer, Zilla Parishad, Washim to grant 2nd and 3rd (actual) benefits of Time Bound Promotion/Assured Progressive Scheme from 01.09.2006 and 02.09.2016 respectively forthwith;
- (ii) Direct the Respondent No. 2 to 4 - Chief Executive Officer, District Health Officer, Medical Officer, Zilla Parishad, Washim to grant benefits of Time Bound Promotion/Assured Progressive Scheme as per 7th Pay Commission after a period of 10/20/30 years forthwith;

- (iii) Direct the Respondent No. 2 to 4 – Chief Executive Officer, District Health Officer, Medical Officer, Zilla Parishad, Washim to grant arrears arising out of benefits under prayer clause (i) and (ii) of Time Bound Promotion/Assured Progressive Scheme within stipulated period;
- (iv) Direct the Respondent No. 2 to 4 – Chief Executive Officer, District Health Officer, Medical Officer, Zilla Parishad, Washim to grant interest @ of 12% p.a. on the arrears claimed herein above in prayer clause (iii);
- (v) Saddle the cost of this Petition upon the Respondent No. 2 to 4.

2. Respondents 2 to 4 have filed affidavit-in-response. Paragraph [2] of the affidavit-in-response reads thus :

“It is submitted that, the respondents are accepted the claim of the petitioner and sanctioned the second benefits under Assured Progressive Scheme vide order No.384 dated 31.03.2023 (Rs.2,87,265/-) and third benefits under Assured Progressive Scheme vide order no.382 dated 31.03.2023 (Rs.6,89,117/-) paid to the petitioner.”

3. In this view of the matter, the grievance of the petitioner is substantially redressed. However, the learned counsel for the petitioner states that the revised gratuity shall have to be paid.

4. We find that there is no prayer in the petition to that effect.

5. We permit the petitioner to make a representation to respondents 2 to 4 seeking revised gratuity.

6. If such representation is made within the next two weeks, the same shall be decided by respondents 2 to 4 within further period of two weeks.

7. Petition is disposed of.

(M. W. CHANDWANI, J.)

(ROHIT B. DEO, J.)

Gulande

Signed By: ABHIMANYU
SHANKARRAO GULANDE
Personal Assistant
High Court Nagpur
Signing Date: 19.06.2023 19:51