

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

WRIT PETITION NO. 4206 OF 2020

Jagdish s/o. Ramkrushna Rahate,
Aged about 49 years,
Occu.: Senior Clerk/Service,
R/o. C/o. Manoj Nayak, Plot No.14,
Wadi of Ramji, Near Saraswati High
School, New Shukrawari Road,
Nagpur – 440032.

...PETITIONER

...VERSUS...

1. State of Maharashtra,
through (It's Secretary), the
Department of Water Supply and
Sanitation, Mantralaya,
Madam Cama Road, Hutatma Rajguru
Square, Nariman Point,
Mumbai – 400032.
2. The Member Secretary,
Maharashtra Jeevan Pradhikaran,
4th Floor, Express Towers, Nariman
Point, Mumbai 400021.
3. The Chief Administrative Officer,
Maharashtra Jeevan Pradhikaran,
2nd Floor, CIDCO Bhavan, South Block,
Belapur, New Bombay-400614.
4. The Chief Engineer,
Maharashtra Jeevan Pradhikaran,
Nagpur Region, Nagpur, Civil Lines,
Behind C.P. Club, Telankhedi Road,
Nagpur – 440001.
5. The Superintendent Engineer and
President, (Circle Committee)
Maharashtra Jeevan Pradhikaran,
Nagpur – 440001.

...RESPONDENTS

Mr. S. S. Shinde, Advocate for Petitioner.
Mr. N. S. Rao, A.G.P for Respondent 1/State.
Mr. D. M. Kakani, Advocate for Respondents 2 to 5.

CORAM: **ROHIT B. DEO AND MRS. VRUSHALI V. JOSHI, JJ.**
DATE: **13.04.2023**

JUDGMENT : (PER ROHIT B. DEO, J.)

1. Heard. **Rule.** Rule made returnable forthwith by consent of the learned counsel for the parties.

2. The prayer clauses in the petition are read thus :

“i. quash and set aside the impugned orders dated 18/01/2020 and 29/10/2020 (Annexures No-7 & 14 respectively) passed by the respondent No.5 against the petitioner;

ii. Direct the respondents to continue the services of the petitioner with all the consequential benefit of his service including the increments, during the pendency of the present petition.

iii. During pendency and till final disposal of the present petition, grant *ad interim ex parte stay* to the impugned orders dated 18/01/2020 and 29/10/2020 (Annexures No-7 & 14 respectively) passed by the respondent No.5 against the petitioner and *ad interim ex parte* relief in terms of prayer clause (ii).

iv. Grant any other appropriate relief in favour of petitioner, which this Hon’ble Court deems fit and proper in the facts and circumstances of the present case.”

3. We note from paragraph 6 of the affidavit in response filed on behalf of the Maharashtra Jeevan Pradhikaran that the recommendatory proposal was sent to the State Government.

4. Today, the learned Counsel Mr. Kakani, who appears on behalf of the Maharashtra Jeevan Pradhikaran has placed before us Government Resolution dated 20.03.2023 which shows that the recommendatory proposal is accepted by the State Government.

5. The Government Resolution dated 20.03.2023 is taken on record as Exhibit-A.

6. The learned Counsel for the petitioner agrees that in view of the aforesaid development, the grievance stands redressed substantially. However, what is urged is that consequentially, the monetary benefits shall have to be released by the Maharashtra Jeevan Pradhikaran.

7. We allow the petition by directing the respondents 2 to 5 to give /release every consequential benefit, monetary and otherwise, to which the petitioner is entitled to in accordance with the Rules and Regulations. The needful shall be done within the next eight weeks.

8. Petition is disposed of. Rule accordingly. No costs.

(MRS. VRUSHALI V. JOSHI, J.)

(ROHIT B. DEO, J.)

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