

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

Writ Petition No. 7931 of 2022

[Kishor Wamanrao Sontakke and ors. ..vs.. The Secretary, Department of School Education,
Mantralaya, Mumbai and ors.]

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

Court's or Judge's orders

Mr. S. U. Ghude, Advocate for the petitioners
Mrs. K. R. Deshpande, AGP for respondents 1 to 3

**CORAM : ROHIT B. DEO AND
M. W. CHANDWANI, JJ.**

DATED : 15-6-2023

The office note is that respondents 4 to 8 are not served for want of time.

2. However, it appears that respondents 4 to 8 are not contesting parties.

3. The grievance in the petition is the refusal of respondents 1 and 2 to grant the benefit of one increment which fell due on 30th June to the petitioners who superannuated on 30-6-2020, 30-6-2021 and 30-6-2022.

4. Learned counsel Mr. S. U. Ghude submits and learned Assistant Government Pleader Mrs. K. R. Deshpande fairly agrees that the issue is squarely covered by several decisions of this Court which

have relied on the decision of Hon'ble Supreme Court in *Civil Appeal 2471/2023 (The Director (Admn. and HR) KPTCL & ors. Vs. C. P. Mundinamani and ors. dated 11-4-2023)*. In this view of the matter, we allow the petition in terms of prayer clause (i) which reads thus.

- (i) direct the respondents to grants one increment to the petitioner no. 1 from 30.06.2022 with arrears. Petitioner No. 2 from 30.06.2022 with arrears, petitioner no. 3 from 30.06.2022 with arrears petitioner no. 4 from 30.06.2020 with arrears and petitioner no. 5 from 30.06.2021 along with arrears, in the interest of justice.

(M. W. Chandwani, J.)

(Rohit B. Deo, J.)

wasnik