

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

WRIT PETITION NO.1906 of 2023

1. Ramesh s/o Ramaji Borkar,
Aged about 62 years, Occ. Retired.
R/o. Flat No.302, Akruti Residency,
Harihar Nagar, Infront of Global Lagic IT Park,
Beltarodi Road, Besa, Nagpur.
2. Keshao s/o Maniramji Bhakte,
Aged about 71 years, Occ. Retired.
R/o.58, Near Green Residency,
Jijau Nagar, Nalwadi, Wardha-442001, Dist.Wardha.
3. Ashokkumar s/o Hiranman Belekar,
Aged about 63 years, Occ. Retired,
R/o. Dyanand Housing Society,
Plot No. 32, Jaripatka, Nagpur.
4. Dnyndeo Ganpat Shirsat,
Aged about 69 years, Occ. Retired,
R/o. Navin Apartment, Aav,
Near Jagruti School, Akola,
District Akola.
5. Janardhan s/o Shivram Lahase,
Aged about 71 years, Occ.Retired.
R/o 13/2/1, Plot No.49A, Akansha,
Khasba Road, Behind Durga Mandir,
Mutthelayout, Shastri Nagar,
Buldhana, District Buldhana.
6. Taterao s/o Sakharam Kakde,
Aged about 62 years, Occ. Retired,
R/o. Chikhli Road, Near Ganpatri Mandir,
Shivshankar Nagar, Sunderkhed, Buldhana,
District Buldhana.
7. Janba s/o Gamru Nargade,
Aged about 72 years, Occ. Retired,
R/o. Manvata Mandir, 4, Shivneri Society,
Arni Road, Yavatmal, District Yavatmal.
8. Mohan Asaram Padole,
Aged about 68 years, Occ. Retired,
R/o. Plot No.13, Sant Tukdoji Housing Society,
Prabhunagar (Manishnagar) Somalwada,
Nagpur-440 005.

9. Sheikh Baba Mohd. Yusuf Sheikh,
Aged 72 years,
R/o. Takiya Ward, Sneha Nagar,
Laksha Hospital Marg,
Bhandara, Tq. and District Bhandara.

....PETITIONERS

VERSUS

1. The State of Maharashtra, through its
Principal Secretary, Industries, Energy and
Labour Department, (Labour), Mantralaya,
Mumbai-400 032.
2. The State of Maharashtra, through its
Principal Secretary, Finance Department,
Mantralaya, Mumbai-400 032.
3. The Commissioner of Labour,
Kamgar Bhawan, C-20, E-Block,
Bandra Kurli Complex, Badra (East)
Mumbai-400 051.
4. The Additional Commissioner of Labour,
New Administrative Building No.2,
4th Floor, A Wing, Zilla Parishad,
Nagpur-440 001.
5. Assistant Commissioner of Labour,
Administrative Bhavan, Ground Floor,
S.T. Stand, Chandrapur-01.
6. Assistant Commissioner of Labour,
Gorakshan Road, Old Income Tax Chowk,
Akola, Tah. and District Akola.
7. Government Labour Officer,
Collector Complex, Gadchiroli,
Tq. And District Gadchiroli.
8. Accountant General-II,
Maharashtra, Nagpur,
District Nagpur.

..RESPONDENTS

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Ms Kirti Satpute (Kapse), Advocate for petitioners.

Ms S.S. Jachak, Assistant Government Pleader for respondents.
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CORAM :- A.S. CHANDURKAR AND MRS. VRUSHALI V. JOSHI, JJ.

DATE :- 10th JULY, 2023

ORAL JUDGMENT (Per A.S.CHANDURKAR,J.)

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

2. Each petitioner was serving with the Office of the Commissioner of Labour and superannuated on 30th June of the concerned year. Each petitioner seeks grant of annual increment that falls due on 1st July of the year in which they superannuated. Based on the aforesaid, the petitioners also seek other consequential benefits.

3. The learned Assistant Government Pleader appearing for the respondents on instructions submits that on 28th June, 2023 the Finance Department of the Maharashtra State has issued a Government Resolution thereby extending the benefit of the said annual increment to those employees who had superannuated on 30th June of the relevant year. This Government Resolution has been issued in view of the order passed in Writ Petition No.1881 of 2023(*Govind Gundopant Sonar vs. The State of Maharashtra through its Secretary and others*) with connected writ petitions dated 16.02.2023 at the Aurangabad Bench.

4. In view of aforesaid, it is clear that the petitioners are now entitled to receive the increment that has fallen due on 1st July of the concerned year in which they superannuated.

5. The writ petition is disposed of by directing the respondents to extend the benefit of the Government Resolution dated 28th June, 2023 to each petitioner within a period of four months from today with all consequential benefits.

The Rule is made absolute in aforesaid terms. No costs.

(MRS. VRUSHALI V. JOSHI, J.)

(A.S.CHANDURKAR, J.)

Andurkar.