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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

2 CIVIL APPLICATION NO. 14852 OF 2023
IN
REVIEW APPLICATION (STAMP) NO.35987 OF 2023
WITH
REVIEW APPLICATION (STAMP) NO.35987 OF 2023

THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS

VERSUS

GULABRAO RATAN MORE AND ANOTHER

.....
AGP for the Applicants/State : Mr. P.K. Lakhotiya
Advocate for the Respondents/ Original Petitioners : Mr. Sandeep
B. Sontakke

...

CORAM : RAVINDRA V. GHUGE
&
SANJAY A. DESHMUKH, JJ.

DATE :- 11th January, 2024

Per Court :-

(a) Civil Application No.14852/2023:-

1. Heard the learned Advocates for the respective sides. Considering the reasons cited, **this Civil Application is allowed** and delay of 271 days is condoned.

(b) Review Application (stamp) No. 35987/2023 :-

2. By consent, the Review Application is taken up for

hearing. The only issue raised is that one of the Petitioners in Writ Petition No.461/2023, namely, Gulabrao Ratan More, would have normally earned his annual increment after completing 1 year of duties from 01.07.2012 to 30.06.2013. However, he was promoted on 30.03.2013 as an Additional Collector (selection grade). With this promotion, he superannuated within three months on 30.06.2013. Rule 11 of the Maharashtra Civil Services (Revised Pay) Rules, 2009, can be interpreted to mean that he should work for at least six months on the promotional post to be eligible to earn an annual increment.

3. The learned Advocate for the Petitioner seeks time to take instructions.

4. **List this Review Application on 25.01.2024.**

5. Until further orders, our directions set out in the order dated 12.01.2023, to the extent of the Petitioner (Gulabrao Ratan More), shall stand stayed.

kps (SANJAY A. DESHMUKH, J.) (RAVINDRA V. GHUGE, J.)