

JPP

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

***WRIT PETITION NO. 15056 OF 2023
with
INTERIM APPLICATION NO. 219 OF 2024***

Vinayak Babu Pradhan and Ors. ... Petitioners
V/s.
State of Maharashtra and Ors. ... Respondent

***with
WRIT PETITION NO. 26 OF 2024***

Krishna Bhosale and Ors. ... Petitioners
V/s.
State of Maharashtra and Ors. ... Respondent

Mr. Datta H. Pawar for the Petitioners in both Petitions
Mr. V.M. Mali, AGP for the Respondent Nos. 1 to 3
Ms. Nisha Mehra, AGP for Respondent Nos. 1 and 2 in WP 26/24

***CORAM : NITIN JAMDAR &
M.M. SATHAYE, JJ.***

DATE : 10 JANUARY 2024

P.C. :-

Heard the learned Counsel for the parties.

2. The order that we propose to pass we do not deem it necessary to give notice to the Respondent Nos. 4 and 5. The

Petitioners are working with the Respondent – Kolhapur, Zilla Parishad. They are seeking an increment. Their salary based on Government Resolution dated 20 June 1989. This Government Resolution lays down certain criteria upon fulfillment of the same the grant of increment postulate. To consider the prayer of the Petitioners, the case of each of the Petitioner will have to be examined on facts as to whether the Petitioner fulfills the requirements of the Government Resolution. This factual enquiry will have to be carried out by the Respondent – Zilla Parishad.

3. In these circumstances, we dispose of the Petitions directing the Respondent – Zilla Parishad to examine the case of each of the Petitioner in the light of the criteria laid down in the Government Resolution dated 20 June 1989 including the date of receipt of the State/National Award. If the Respondent comes to the conclusion that the Petitioners fulfill the criteria under the Government Resolution and that they have received such Award and fulfill the criteria under the said Government Resolution, they would be given the benefit of the additional increment as per the governing rules and regulations.

4. The Respondent – Zilla Parishad will make an endeavor to complete the exercise within a period of four months from today, subject to other urgent public duties and commitments.

5. We make it clear that since the Respondent – Zilla Parishad is not before us, we are not deemed to have declared that each of the Petitioners are entitled to the benefit of the additional increment and this decision will be taken by the Zilla Parishad on the merits of each case upon examination of factual aspects.

6. The Writ Petitions and the Interim Application are accordingly disposed of.

M.M. SATHAYE, J.

NITIN JAMDAR, J.