

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

(SR. NO. 902) WRIT PETITION NO. 742 OF 2024

Jaywant Yashwant Patil And Ors. ...Petitioners

Versus

The State Of Maharashtra Through Secretary,
The Department Of Rural And Water
Conservation Department, Mantralaya,
Mumbai And Ors. ...Respondents

WITH

(SR. NO. 903) WRIT PETITION NO. 743 OF 2024

Sameer Dastagir Mulani And Ors. ...Petitioners

Versus

The State Of Maharashtra Through Secretary,
The Department Of Rural And Water
Conservation Department, Mantralaya,
Mumbai And Ors. ...Respondents

WITH

(SR. NO. 904) WRIT PETITION NO. 744 OF 2024

Satappa Vishnu Patil And Ors. ...Petitioners

Versus

The State Of Maharashtra Through Secretary,
The Department Of Rural And Water
Conservation Department, Mantralaya,
Mumbai And Ors. ...Respondents

WITH

(SR. NO. 905) WRIT PETITION NO. 745 OF 2024

WITH

INTERIM APPLICATION NO. 654 OF 2024

Kiran Maruti Shinde And Ors. ...Petitioners
...Applicants

Versus

The State Of Maharashtra Through Secretary
The Department Of Rural And Water
Conservation Department, Mantralaya,
Mumbai And Ors.

...Respondents

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Mr. Datta H. Pawar, Advocate for Petitioners in all Petitions.

Mr. V. M. Mali, AGP for Respondent Nos.1 to 3 in all Petitions.

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

DATE : 18 JANUARY 2024

P.C.:

. Heard the learned Counsel for the parties. Considering the order that we propose to pass, we do not deem it necessary to give notice to the Respondent Nos. 4 and 5.

2. The Petitioners are working with the Respondent – Kolhapur, Zilla Parishad. They are seeking an increment. Their salary is based on Government Resolution dated 20 June 1989. This Government Resolution lays down certain criteria upon fulfillment of which grant of increment is postulated. To consider the prayer of the Petitioners, the case of each of the Petitioners will have to be examined on facts as to whether each of the Petitioners fulfill 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 Petitioners 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 Zilla Parishad comes to the conclusion that the Petitioners fulfill the criteria under the said Government Resolution and that they have received such Award, 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 should not be 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.)