

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 4135 OF 2023

Shashikant S/o Krushnarao Chapekar and others

Vs.

The State of Maharashtra through its Ministry of General Administrative Department, Mantralaya,
Mumbai and others

WITH

WRIT PETITION NO. 5848 OF 2023

Santosh S/o Indrajeetsingh Tomar and others

Vs.

The State of Maharashtra through its Ministry of General Administrative Department, Mantralaya,
Mumbai and others

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

Court's or Judge's orders

Ms Shruti R. Waghade, Advocate h/f Mr B.N. Jaipurkar, Advocate
respondent Nos. 4 & 5 in WP No. 4135/2023
Mr Anant Dixit, Advocate for respondent Nos. 2 to 4 in WP. No.
5848/2023

CORAM : AVINASH G. GHAROTE AND
SMT M.S. JAWALKAR, JJ.

DATE : 10.01.2024

The facts involved in the matter are similar to the
facts involved in Writ Petition No. 3837/2021.

2. By this petition petitioners seek tribal incentive allowance and additional house rent allowance as admissible under the recommendations of the Sixth and Seventh Pay Commissions. This is in view of Government Resolution dated 06.08.2002. In Writ Petition No. 3837/2021, Zilla Parishad made a statement that they sought guidance in the matter from the State Government.

3. As the State Government has used communication dated 16/09/2020 to the Chief Executive Officer, Zilla Parishad, Gondia, stating therein that the employees would be entitled for incentive allowance in terms of Government Resolution dated 06.08.2002, the Deputy Commissioner in the appeal filed before him on 27.01.2021 has issued directions to the Chief Executive Officer, Zilla Parishad, Gondia to grant such benefits to the employees mentioned therein.

4. In view of this statement the said petition was disposed of with direction to take necessary steps in that regard and release the benefits to the petitioners who are found entitled for the same in accordance with law. In view of this judgment, the present petition is also needs to be allowed. As such, petition is allowed in terms of the judgment in the said Writ Petition No. 3837/2021, and the respondents are directed to take necessary steps to grant one step promotion, arrears and consequential benefits as per provisions of law within a period of three months from the date of production of this order.

6. No costs.

JUDGE

JUDGE

Jayashree..