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

WRIT PETITION NO.559 of 2024

Bhaurao Mahadev Badole and others … Petitioners
versus
The State of Maharashtra, and others. .. Respondents.

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Mr. P. S. Kshirsagar, Advocate for petitioners.
Mr. A.S.Fulzele, Additional Government Pleader for respondent nos. 1 to 4

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CORAM :- NITIN W. SAMBRE AND MRS. VRUSHALI V. JOSHI, JJ.
DATE :- 17th OCTOBER, 2024

P. C.

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

2. The petitioners seek second benefit under the Assured Career Progression scheme in terms of the Government Resolution dated 02.03.2019.

3. The petitioners seek to rely upon the orders dated 21.09.2013 passed in Writ Petition No.7358/2013( (Kiran Namdeo Shinde and ors vs. State of Maharashtra and others) with connected writ petitions and dated 02.12.2013 passed in Writ Petition 7256/2011 (Sunil T. Ukande and ors. Vs. State of Maharashtra and ors. with connected writ petition. Undisputedly, the petitioners have received the first benefit in terms of the said scheme.

4. It is to be noted that in the meanwhile, vide Government Resolution dated 02.03.2019 the Assured Career Progression Scheme has been modified. The benefit of Assured Career Progression Scheme under the recommendations of the Seventh Pay Commission is admissible after a period of 10/20/30 years of service. The Scheme has been made applicable from 01.01.2016.

5. In view of aforesaid, we find that the following order would serve the interests of justice:

> (i) The respondent nos.3 and 4 shall examine entitlement and eligibility of the petitioners to receive the second benefit under the Assured Career Progression Scheme in the light of the Government Resolution dated 02.03.2019 and other relevant Government Resolutions. The respondent nos.3 and 4 shall consider the aforesaid entitlement within a period of eight weeks of receiving copy of this order. If the petitioners are found entitled to receive such benefit, the same shall be released in their favour within a period of four months of such decision being taken.

6. Rule stands disposed of in aforesaid terms with no order as to costs.

(VRUSHALI V. JOSHI, J.) (NITIN W. SAMBRE, J.)

*Andurkar..*

Signed by: Jayant S. Andurkar
Designation: PA To Honourable Judge
Date: 18/10/2024 10:27:05