



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2285 OF 2025

BABU SAKHARAM DHERE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA
THROUGH THE DISTRICT COLLECTOR AND ANOTHER

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Tripathi Manish Purushottam, Advocate for the Petitioners
Mr. V. M. Kagne, AGP for Respondent/State

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CORAM : MANGESH S. PATIL &
Y. G. KHOBRAGADE, JJ.

DATE : 24.03.2025

PER COURT :

. Heard learned advocate for the petitioners and the learned AGP.

2. Respondent No. 2 – the Municipal Corporation, Parbhani has been duly served with a final disposal notice, but has not caused appearance.

3. It is a matter of entitlement of a superannuated employees who have an increment which they had earned by putting in service in the last year of the employment next before the date of superannuation. The issue is no more *res integra* in light of the

decision of the Supreme Court in the matter of *Director (Admn. & HR), Karnataka Power Transmission Corporation Ltd. & Ors. V/s. C.P Mundinamani & Ors., AIR 2023 ONLINE SC 275.*

4. Incidentally, even the State Government has now issued a Government Resolution dated 28.06.2023 for extension of such benefit, additionally, restricting the arrears to the period of three years next before the date of petition.

5. In light of above, the writ petition is allowed. Respondent No. 2 is directed to take appropriate steps for release of increment earned by the petitioners in the last year next before their date of superannuation. Their pension shall be refixed. However, the arrears to be payable to them are restricted to the period of three years next before filing of the petition on 10.02.2025.

6. The entire exercise shall be completed within eight weeks, else, the arrears would carry interest @ 6% per annum.

(Y. G. KHOBRAGADE, J.)

(MANGESH S. PATIL, J.)

jhs/