



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 12668 OF 2021

Yogesh Motilal Oswal & Ors.

...Petitioners

Versus

The State of Maharashtra & Ors.

...Respondents

- Mr. Barlinge S. R., for Petitioners.
- Mr. R. K. Ingole, AGP for Respondent Nos.1 and 2.

**CORAM : MANISH PITALE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 29th JULY 2025.

P. C. :

1. Heard learned counsel for the petitioners and the learned AGP for the respondent – State.

2. It is not disputed that the petitioners herein are identically situated to individuals, who had approached this Court at the Principal Seat as well as before this Bench in Writ Petition Nos.1561 of 2024 and 7537 2025.

3. In fact, Writ Petition No.7537 of 2025 was disposed of recently on 30th June 2025, by relying upon earlier orders passed by this Court in case of similarly situated persons.

4. The relevant portion of the order dated 30th June 2025,

passed in Writ Petition No.7537 of 2025 (Ramesh s/o Jangannath Patil Vs. The State of Maharashtra & Ors.), reads as follows :

“8. *In view of the above, we are more than convinced that the case of the petitioner is completely covered by the aforementioned judgment and orders passed by various benches of this Court and which stood confirmed upto the Supreme Court. In such a situation, the observations made in the aforesaid recent judgment and order passed at the Principal Seat of this Court on 05.02.2025 in Writ Petition No.1561 of 2024 are relevant and they read as follows:*

“6. *The Petitioners are entitled for the benefits of the Government Resolution dated 27th February, 2006 in view of the Judgment dated 4th July, 2014 delivered in Writ Petition No.243 of 2007, at Aurangabad Bench and the order dated 19th April, 2017 vide which, the Review Petition No.119 of 2016 was rejected.*

7. *The learned Advocate for the Petitioners submits that for the last 11 years, this Court has been repeatedly passing such orders. Despite series of such orders and the Hon'ble Supreme Court having repeatedly dismissed the SLPs, the Government is still not following the Government Resolution and*

compelling the litigants to approach this Court and indulge in litigation, perforce. He submits that even earlier, the Court had granted interest. The learned AGP submits that interest may not be granted.

8. *We are of the view that the concerned Department of the State Government should have actually issued a circular bringing to the notice of all concerned, the fact of this Court having delivered orders in the last 11 years and the SLPs filed by the State of Maharashtra having been repeatedly rejected. The circular should have had the semblance of a direction for specific implementation of the Government Resolution dated 27th February, 2006.*

9. *Even after 11 years of the orders passed by this Court, the Petitioners are compelled to approach this Court by filing Petitions, which is purely a compulsion. Such unnecessary litigation could have been avoided. It is in these circumstances that we are granting interest on the arrears to be paid to the Petitioners at the rate of 6% p.a. from the date of the filing of the Petitions.*

10. *This Writ Petition is allowed, in terms of prayer clauses (A) and (B). The*

arrears shall be calculated along with the interest component and the same shall be paid to these Petitioners within 60 days from today.

11. We also observe that if in future similar matters come up before this Court praying for a similar relief, the interest component would be increased and it would be made applicable from the date of the Government Resolution dated, 27th February, 2006.”

9. In this situation, we are of the opinion that the petitioner has made out a case for allowing the writ petition on similar lines. Accordingly, writ petition is allowed in terms of prayer clause (B), which reads as follows:

(B) By a writ of mandamus or any other appropriate writ or order or directions in the like nature, the respondents may kindly be directed to pay the arrears of difference and wages as per the pay scale of Rs.4000-6000/- and grade pay of Rs.4200/- along with interest @ Rs.6% p.a. to the petitioner within a period of six weeks.

10. Rule is made absolute in the above terms.

11. It is made clear that the component of interest would

be paid from the date of filing of the petition i.e. 09.06.2025. It is further made clear that if the petitioner has already received any amount towards such pay scale, the same would be taken into account.

12. Pending application, if any, also stands disposed of.”

5. Since there is no dispute about the fact that the petitioners herein are also identically situated, this writ petition is allowed in terms of the prayer clauses (a) and (b). Since this Court granted 6% interest on the arrears of difference of wages to identically situated persons, it is further directed that even in the case of petitioners herein, the amount found payable to them, shall be paid along with interest @ 6% p.a. from the date of filing of the petition i.e. 17th November 2021.

6. The writ petition stands disposed of in above terms. Pending applications, if any, also stand disposed of.

(Y. G. KHOBRAGADE, J.)

(MANISH PITALE, J.)