

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 6119 OF 2024

Sampat Aba Jadhavar. ... Petitioner.
Versus
The State of Maharashtra & Ors. ... Respondents.

Mr. Shrirang Katneshwarkar, a/w. Mr. Sandeep Gupta, for the Petitioner.
Mr. V.M. Mali, AGP for Respondent/State.
Mr. Ashok Tajane, for Respondent Nos. 5 and 6.

**CORAM : RAVINDRA V. GHUGE AND
ASHWIN D. BHOBE, JJ.**

DATE : 10th FEBRUARY, 2025

P.C. :

1. The learned AGP has placed on record a photostat copy of a communication dated 4th February, 2025, addressed by Shri Sachin Jagtap, Education Officer, Secondary, Zilla Parishad, Solapur, addressed to the Accountant General, State of Maharashtra, Mumbai, by which the annual increment earned by the Petitioner for working since 1.7.2008 till 30.06.2009, has been directed to be added and the revised pension be approved.

2. The learned Advocate for the Petitioner rightly points out the G.R. dated 28.06.2023 wherein the Judgment of this Court delivered

at the Aurangabad Bench dated 16th February, 2023 in Writ Petition No. 1881 of 2023 and the fact that the said Judgment has been affirmed by the Hon'ble Supreme Court, crystallized the position that the annual increment was actually not an advance increment, but an increment earned for working over 12 months in the preceding calendar year.

3. The said photostat copy of the letter is marked as 'X' for identification.

4. In view of the above, this **Petition is disposed off**. We direct the Accountant General (A and E) that the said proposal forwarded by the Education Officer shall be cleared in 30 days and no objection shall be raised in so far as the notional addition of one annual increment which the Petitioner has earned when he is superannuated after the office hours on 30.06.2009.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)