



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

WRIT PETITION NO.3612 /2025

State of Maharashtra and Ors.

Vs.

Bhimrao Gangaram Jadhav

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

Court's or Judge's orders

Mr. N.R. Patil, A.G.P. for Petitioners.

Mr. R. M. Fating, Advocate for Respondent.

CORAM : ANIL S. KILOR AND MRS. VRUSHALI V. JOSHI,JJ.

DATED : 11/08/2025.

1. Heard.
2. By the present writ petition, the State has raised a challenge to the judgment and order dated 11.07.2024 passed in Original Application No.1030/2023 filed by the respondent.
3. The brief facts of the present case are as under :
The respondent approached to the Maharashtra Administrative Tribunal by filing Original Application No.1030/2023 claiming 3rd benefit of time bound promotion as per the Government Resolution dated 02.03.2019. The respondent was retired from the post of Junior Dairy Operator on 31.12.2016.
4. It is the case of the respondent that after completion of service of 30 years, he has made representation for grant of 3rd benefit under the revised ACP (Assured Career Progression Scheme) vide Government Resolution dated 02.03.2019, the same came to be rejected on the ground that, he was granted functional pay.

5. The learned Tribunal granted the 3rd benefit of time bound promotion to the applicant/respondent on the ground that he completed 30 years of service and considering the Government Resolution dated 02.03.2019, he is entitled to receive the said benefits. The learned Tribunal has also observed that the reason to deny 3rd benefit of time bound promotion i.e. the non-functional pay was granted to the respondent, cannot be considered as per corrigendum dated 21.02.2024. The learned Tribunal while holding so, has placed reliance upon the judgment of this Court in *Writ Petition No.6329/2015 (State of Maharashtra and Ors. Vs. Subhash Eknath Kawalkar and Ors. decided on 23.11.2015)*.

6. Having considered the reasons recorded by the learned Tribunal while granting the benefits of 3rd time bound promotion to the applicant/respondent and as we have not noticed any perversity in the same, we do not find any merit in the present Writ Petition. Accordingly, the Writ Petition is dismissed.

(MRS.VRUSHALI V. JOSHI, J.)

(ANIL S. KILOR, J.)