



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

WRIT PETITION NO. 2578 OF 2024

State of Maharashtra, through its Secretary, Water Resources Department
and others Vs. Pradip Narayanrao Bhelande and others

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Alap Palshikar, AGP for Petitioners

Mr. V.A. Kothale, Advocate for Respondent Nos.1 to 8

CORAM: **AVINASH G. GHAROTE AND**
 ABHAY J. MANTRI, JJ.

DATED : **3rd APRIL, 2025**

The petition, questions the judgment dated 19.06.2023, passed by the learned Maharashtra Administrative Tribunal, which directs the present petitioners not to take into consideration the upgradation granted on the post of Sectional Engineer while considering the entitlement of the applicants for grant of financial benefits under the ACP scheme (page 150) on the ground, that since the respondents, who were originally working as Junior Engineers had been upgraded to the post of Sectional Engineer w.e.f. 01.04.1981 by the Government Resolution dated 16.4.1984, the same would amount to promotion and, therefore, the grant of the benefits, in terms of the Government Resolution dated 08.6.1995 of ACP w.e.f. 2001 was justified. We are unable to agree with this

contention for the reason, that promotion and upgradation are two different things altogether, inasmuch as promotion would be an advancement to a higher position, which would indicate grant of a higher pay scale applicable to the promotional post. As against this, upgradation, does not mean the availability of the higher position, but mere financial benefits. It is, therefore, apparent that promotion cannot be equated with upgradation. Since that is the only plea, raised we do not see any reason to interfere in the present petition. The petition is dismissed. No costs.

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE, J.)

MP Deshpande