IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.13674 OF 2026

SURESH WAMANRAO PAWAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS
...
Mr. Vishnu B. Madan Patil, Advocate for the Petitioners
Mr. V. M. Kagne, AGP for Respondents/State
...

WRIT PETITION NO. 11320 OF 2026

VITTHAL LADUBA JADHAV AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS
...
Mr. Estling S. Murge, Advocate for the Petitioners
Ms. V. M. Kagne, AGP for Respondents/State
...

WRIT PETITION NO. 11329 OF 2026

SHARADRAO SHIVAJIRAO PATIL AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS
...
Mr. Estling S.Murge, Advocate for the Petitioners
Ms. S. K. Tambe, AGP for Respondents/State
...

WRIT PETITION NO. 13656 OF 2026

ASHOK KESHAVRAO RAKHE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS
...
Mr. S. B. Sontakke, Advocate for the Petitioners
Mr. S. R.Wakle, AGP for Respondents/State
...

WRIT PETITION NO. 11660 OF 2026

SARUWEL SATYAVIJAY GHULE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS
...
Mr. Estling S.Murge, Advocate for the Petitioner
Mr. N. D. Batule, AGP for Respondents/State

...

WRIT PETITION NO. 12633 OF 2026

SURESH MURLIDHAR PATIL AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

...

Mr. P. D. Suryawanshi, Advocate for the Petitioners
Ms. S. S. Joshi, AGP for Respondents/State

...

WRIT PETITION NO. 13657 OF 2026

BHAGWAN JAYSING THAKARE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

...

Mr. S. B. Sontakke, Advocate for the Petitioners
Mr. V. M. kagne, AGP for Respondents/State

...

WRIT PETITION NO. 13658 OF 2026

BHIMRAO PUNDALIK DEORE
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

...

Mr. Pramod A. Pisal, Advocate for the Petitioner
Mr. S. K. Tambe, AGP for Respondents/State

...

WRIT PETITION NO. 13659 OF 2026

KAKASAHEB GOPINATH KACHKURE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

...

Mr. Estling S. Murge, Advocate for the Petitioners
Mr. B. B. Bhise, AGP for Respondents/State

...

WRIT PETITION NO. 13660 OF 2026

HARIOM DASHRATH KORKE
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

...

Mr. Shubham B. Khandagale, Advocate for the Petitioner
Mr. S. R. Wakle, AGP for Respondents/State
Mr. V. M. Vibhute, Advocate for the Respondents No. 4 to 6.

...

WRIT PETITION NO. 13670 OF 2026

BHAUSAHEB PANDURANG NIKAM AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS
...
Mr. Pramod A. Pisal, Advocate for the Petitioners
Mr. M. K. Goyanka, AGP for Respondents/State
...

WRIT PETITION NO. 13671 OF 2026

RAJENDRA MANOHARRAO PRADHAN
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS
...
Mr. Shubham B. Khandagale, Advocate for the Petitioner
Ms. N. B. Kamble, AGP for Respondents/State
Mr. V. M. Vibhute, Advocate for the Respondents No. 4 to 6.
...

WRIT PETITION NO. 13672 OF 2026

DNYANDEO SAMPATRAO NAGARGOJE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS
...
Mr. S. T. Jadhav, Advocate for the Petitioner
Mr. N. D. Batule, AGP for Respondents/State
...

WRIT PETITION NO. 13673 OF 2026

KACHRU KASHINATH KOTHKAR THROUGH ITS LEGAL REPRESENTATIVE MANGAL KACHRU KOTHKAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS
...
Mr. B. V. Ambhore & Mr. G. R. Ingole, Advocates for the Petitioner
Ms. S. S. Joshi, AGP for Respondents/State
...

WRIT PETITION NO. 13675 OF 2026

ARVIND MAROTI GOLE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS
...
Mr. V. D. Gunale, Advocate for the Petitioner
Mr. S. K. Tambe, AGP for Respondents/State
...

WRIT PETITION NO. 13678 OF 2026

GANESH PANDHARINATH TAKLE
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS
...
Mr. Shubham B. Khandagale, Advocate for the Petitioner
Mr. B. B. Bhise, AGP for Respondents/State
...

WRIT PETITION NO. 13679 OF 2026

SURESH AMRUT KULKARNI
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS
...
Mr. Pramod A. Pisal, Advocate for the Petitioner
Mr. S. R. Wakle, AGP for Respondents/State
...

WRIT PETITION NO. 13681 OF 2026

SYED MOHSIN SYED ABDUL KARIM
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS
...
Mr. B. V. Ambhore & Mr. G. R. Ingole, Advocates for the Petitioner
Mr. M. K. Goyanka, AGP for Respondents/State
...

WRIT PETITION NO. 13682 OF 2026

INDAL TARU RATHOD AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS
...
Mr. Vishal A. Bagal, Advocate for the Petitioner
Ms. N. B. Kamble, AGP for Respondents/State
...

CORAM : NITIN B. SURYAWANSHI AND ABASAHEB D. SHINDE, JJ.

DATE : 05th OCTOBER, 2026

PER COURT :

1. Not on board. Upon mentioning taken on board.

2. By these petitions, the petitioners seek directions to the

respondents to grant them notional / annual increment which was due on 01st July i.e. after their retirement, as they have served with good conduct for more than six months in a year. Further direction is sought to recalculate their retirement benefits by including annual increment and all the consequential service benefits.

3. Learned advocates for petitioners submit that the petitioners are in fact seeking the benefit of Rule 10 of the Maharashtra Civil Services (Revised Pay) Rules, 2009.

4. The issue raised by these petitioners is no longer *res integra*. Under the 6th Pay Commission, the year for accounting the annual increments is from 1st July up to the 30th day of June of the next year. The issue as to whether a candidate would be entitled for such increment if he/she superannuates on 30th June, was dealt with by several Courts.

5. The judgment dated 4th May, 2022 delivered by this Court in Writ Petition No. 14632 of 2021 *[Balaji Manikrao Biradar vs. State of Maharashtra & Others]*, led to the conclusion that since this increment is not an advance increment, but is an increment which is payable after completing one year of employment, notwithstanding that a candidate superannuates after office hours on 30th June, he is deemed to have earned the annual increment and, therefore, the increment is payable.

6. Several orders/judgments delivered by this Court were assailed before the Hon'ble Supreme Court and the same have been

sustained. A large bunch of cases were taken up for adjudication by the Hon'ble Supreme Court in ***Director (ADMN. and HR) KPTCL vs. V. C. P. Mundinamani***, reported in ***AIR 2023 SC 1956*** and it was concluded that the said increment is earned by an employee for working over one year and hence, the employee is entitled to an increment even if he/she retires on 30th June of a particular year.

7. Insofar as cases wherein an employee may have worked for a lessor duration during one year, Rule 10 of the Maharashtra Civil Services (Revised Pay), Rules, 2009 would cover cases of employees who have worked for six months and above in the revised pay structure as on 1st July, and would also be entitled for the increment. All those petitioners who have worked for six months and above in a particular year, would be entitled for the benefits of the annual increment and their retirement dues would be calculated by reckoning such increment while calculating their last drawn wages.

8. In view of the above, the Writ Petitions are partly allowed with following directions:-

(a) The petitioners would be entitled for monetary benefits/difference of pensionary benefits as per the actuals w.e.f. from their respective dates of superannuation, provided they have worked for 6 months or more in the last year up to their superannuation.

(b) The pensionary benefits of the petitioners would be

recalculated by including the annual increment in their last drawn salary prior to their superannuation and such recalculated pensionary benefits shall be payable to them.

(c) Arrears if any, shall be paid to them within a period of 90 days. Many of the petitioners have approached belatedly before this Court and, therefore, akin to the orders passed in several matters, they would be not entitled for the interest component.

(ABASAHEB D. SHINDE, J.) **(NITIN B. SURYAWANSHI, J.)**