IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

42 WRIT PETITION NO.13077 OF 2026

Yashodhara Wamanrao Bagul And Others
VERSUS
The State Of Maharashtra And Others
.....
Shri. Jitendra Vijay Patil, Advocate for the Petitioners
Shri. V. M. Kagne, AGP for Respondent- State.
.....
AND

WRIT PETITION NO.13516 OF 2026

Shaikh Husain Shaikh Jalal and Others
VERSUS
The State Of Maharashtra Thr. Secretary and Others
.....
Shri. Prashant D. Suryawanshi, Advocate for the Petitioners
Shri. S. K. Tambe, AGP for Respondent – State.
.....
AND

WRIT PETITION NO.13517 OF 2026

Pandurang Maroti Khatane
VERSUS
The State Of Maharashtra Thr. Secretary and Others
.....
Ms. Sushama Tukaram Jadhav, Advocate for the Petitioner
Shri. N. D. Batule, AGP for Respondent – State.
.....
AND

WRIT PETITION NO.13518 OF 2026

Mukund Surybhan Tandale and Others
VERSUS
The State Of Maharashtra Thr. Secretary and Others
.....
Ms. Sushama Tukaram Jadhav, Advocate for the Petitioners
Shri. S. R. Wakle, AGP for Respondent – State.
.....

AND

WRIT PETITION NO.13519 OF 2026

Dilip Bindumadhav Jewalikar and Others
VERSUS
The State Of Maharashtra Thr. Secretary and Others
.....
Ms. Sushama Tukaram Jadhav, Advocate for the Petitioners
Ms. Neha B. Kamble, AGP for Respondent – State.
.....
AND

WRIT PETITION NO.13520 OF 2026

Darmaraj Laxman Tate and Others
VERSUS
The State Of Maharashtra Thr. Secretary and Others
.....
Ms. Sushama Tukaram Jadhav, Advocate for the Petitioners
Shri. N. D. Batule, AGP for Respondent – State.
.....
AND

WRIT PETITION NO.13521 OF 2026

Chimaji Manik Waghmare and Others
VERSUS
The State Of Maharashtra Thr. Secretary and Others
.....
Ms. Sushama Tukaram Jadhav, Advocate for the Petitioners
Shri. V. M. Kagne, AGP for Respondent – State.
.....
AND

WRIT PETITION NO.13522 OF 2026

Damodhar Gahininath Pohane
VERSUS
The State Of Maharashtra Thr. Secretary and Others
.....
Shri. Tejrao Bhagaji Gadekar, Advocate for the Petitioner
Smt. C. R. Chaudhary, AGP for Respondent – State.
.....

AND

WRIT PETITION NO.13523 OF 2026

Ambre Ramnath Bhikaji and Others
VERSUS
The State Of Maharashtra Thr. Secretary and Others
.....
Shri. Balaji S. Shinde, Advocate for the Petitioners
Shri. N. D. Batule, AGP for Respondent – State.
.....

AND

WRIT PETITION NO.13524 OF 2026

Sarjerao Vithoba Thombre and Others
VERSUS
The State Of Maharashtra Thr. Secretary and Others
.....
Shri Lukhe Arjun Raosaheb, Advocate for the Petitioners
Smt. S. S. Joshi, AGP for Respondent – State.
.....

AND

WRIT PETITION NO.13525 OF 2026

Abhayjit Eknath Salape and Others
VERSUS
The State Of Maharashtra Thr. Secretary and Others
.....
Ms. Sushama Tukaram Jadhav, Advocate for the Petitioners
Smt. M. N. Ghanekar, AGP for Respondent – State.
.....

AND

WRIT PETITION NO.13526 OF 2026

Avhad Shivaji Anandrao and Others
VERSUS
The State Of Maharashtra Thr. Secretary and Others
.....
Ms. Sushama Tukaram Jadhav, Advocate for the Petitioners
Smt. C. R. Chaudhary, AGP for Respondent – State.
.....

AND

WRIT PETITION NO.13526 OF 2026

Avhad Shivaji Anandrao and Others
VERSUS
The State Of Maharashtra Thr. Secretary and Others
.....
Ms. Sushama Tukaram Jadhav, Advocate for the Petitioners
Shri. S. R. Wakale, AGP for Respondent – State.
.....
AND

WRIT PETITION NO.13527 OF 2026

Ramesh Vasantrao Kulkarni and Others
VERSUS
The State Of Maharashtra Thr. Secretary and Others
.....
Shri. Ankush Nivrutti Nagargoje, Advocate for the Petitioners
Shri. R. D. Raut, AGP for Respondent – State.
.....
AND

WRIT PETITION NO.13528 OF 2026

Dnyaneshwar Ramchandra Chavan
VERSUS
The State Of Maharashtra Thr. Secretary and Another
.....
Shri. Prashant D. Suryawanshi, Advocate for the Petitioner
Mrs. M.N. Ghanekar, AGP for Respondent – State.
.....
AND

WRIT PETITION NO.13529 OF 2026

Rajendra Sitaram Naiknaware and Others
VERSUS
The State Of Maharashtra Thr. Secretary and Others
.....
Shri. Santosh Sampatrao Jadhavar, Advocate for the Petitioners
Shri. V. M. Kagne, AGP for Respondent – State.
Shri. B. B. Bhise, Advocate for Respondent No.19
.....

AND

WRIT PETITION NO.13530 OF 2026

Umesh Dharmaraj Limbhare and Others
VERSUS
The State Of Maharashtra Thr. Secretary and Others
.....
Shri. Pradeep Bhagwanrao Kulkarni, Advocate for the Petitioners
Ms. Neha B. Kamble, AGP for the Respondent – State.
.....
AND

WRIT PETITION NO.13532 OF 2026

Sunil Bhagwanrao Chaudhari and Others
VERSUS
The State Of Maharashtra Thr. Secretary and Others
.....
Smt. Sushama Tukaram Jadhav, Advocate for the Petitioners
Shri. N. D. Batule, AGP for Respondent – State.
.....
AND

WRIT PETITION NO.13533 OF 2026

Pramod Prabhakarrao Deshpande and Others
VERSUS
The State Of Maharashtra Thr. Secretary and Others
.....
Shri. Pradeep Bhagwanrao Kulkarni, Advocate for the Petitioners
Smt. C. R. Chaudhary, AGP for the Respondent – State.
Shri. S. R. Dheple, Advocate for Respondent Nos.3, 5 and 8
.....
AND

WRIT PETITION NO.13535 OF 2026

Rohidas Mariba Waghmare and Others
VERSUS
The State Of Maharashtra Thr. Secretary and Others
.....
Smt. Sushama Tukaram Jadhav, Advocate for the Petitioners
Smt. M. N. Ghanekar, AGP for the Respondent – State.
.....

AND

WRIT PETITION NO.13536 OF 2026

Vasant Dinanath Bhondwe and Others
VERSUS
The State Of Maharashtra Thr. The Secretary and Others
.....
Shri. Sudhir D. Patil, Advocate for the Petitioners
Smt. C. R. Chaudhary, AGP for the Respondent – State.
.....

AND

WRIT PETITION NO.13537 OF 2026

Prakash Rama Dhurandhare and Others
VERSUS
The State Of Maharashtra Thr. Secretary and Others
.....
Shri. Prasad Devidas Jarare, Advocate for the Petitioners
Shri. R. D. Raut, AGP for the Respondent – State.
.....
AND

WRIT PETITION NO.13538 OF 2026

Hausrao Sahebrao Pawar and Others
VERSUS
The State Of Maharashtra Thr. Secretary and Others
.....
Ms. Sushama Tukaram Jadhav, Advocate for the Petitioners
Shri. V. M. Kagne, AGP for the Respondent – State.
....

CORAM : NITIN B. SURYAWANSHI &
ABASAHEB D. SHINDE, JJ.
DATE : 01st OCTOBER, 2026

P. C. :-

. Except Writ Petition No.13077 of 2026, remaining matters are not on board. Upon mentioning, the same are 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/she 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 the petitioners 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.)

GGP