



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

975 WRIT PETITION NO. 14598 OF 2025

Vijay Manikrao Kuptekar
Age : 68 years, Occ : Retired,
R/o Manik Building,
Near Union Bank of India,
Shivaji Road, Parbhani - 431 401.

..PETITIONER

-VERSUS-

1. The Union of India
Through its Secretary,
Ministry of Rural Development,
Mahatma Gandhi NREGA Division),
Krishi Bhawan,
New Delhi - 110 001.
2. The State of Maharashtra
Through its Principal Secretary,
Department of Rural Development,
Mantralaya, Mumbai - 400 032.
3. The Commissioner
NREGA, Commissioner's Office
Civil Lines, Nagpur,
Dist. Nagpur - 440 001
4. The District Programme Coordinator (Collector)
MANREGA, Collector Office, Parbhani,
Dist. Parbhani.
5. The Deputy Collector,
(Employment Guarantee Scheme),
Collector Office, Parbhani
Dist. Parbhani.

..RESPONDENTS

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Advocate for the Petitioner : Mr. Kuptekar S.V.
AGP for Respondent/State : Mr. A.V. Lavte
Advocate for Respondent no.1 : Ms. Jadhav A.S.

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CORAM : NITIN B. SURYAWANSHI AND
VAISHALI PATIL-JADHAV, JJ.

DATED : 10th MARCH, 2026.

ORAL JUDGMENT (NITIN B. SURYAWANSHI, J.) :-

. Rule. Rule made returnable forthwith and heard finally with the consent of the parties.

2. By this petition filed under Article 226 of the Constitution of India, the petitioner seeks following reliefs :-

"B. The Hon'ble High Court be pleased issue a writ of mandamus or any other appropriate writ, order or direction thereby directing the Respondent's to implement Central Government Order Dt. 23/12/2021 and State Government G.R. dt. 30/09/2022, by paying enhanced remuneration/honorarium to the Petitioner with effect from 21/12/2021.

C. The Hon'ble High Court be pleased to quash and set aside the communication dt. 06/10/2025 issued by Respondent No.4, to the extent it limits or denies payment of arrears prior to 30/09/2022.

D. The Hon'ble High Court be pleased to direct the Respondent's to pay arrears of remuneration to the Petitioner from 23/12/2021 to 30/09/2022, along with interest thereon at such rate as this Hon'ble Court may deem fit and proper."

3. The petitioner was appointed as Ombudsman under MANREGA on 13.03.2020. Respondent No.1 – Central Government has issued an order dated 23.12.2021 (Exhibit `B'), thereby revising para 4.1 of the Guidelines of the Ombudsman as follows :-

"4.1. Subject to any notification by the State Government, the ombudsman shall be allowed compensation, in the form of a fee of Rs.2,250/- (Two thousand two hundred fifty) per sitting with maximum upper limit of Rs.45,000/- (Forty five thousand) per month."

Clause 4 of the said communication reads thus :-

"4. This change is effective from the date of issue of this order"

4. The State Government by its Government Resolution dated 30th September, 2022 has accepted the revision made by communication at Exhibit-B and granted approval to the revised rate of Rs.2,250/- per meeting and outer limit of Rs.45,000/-.

5. The petitioner, who was entitled for enhanced compensation in terms of the communication at Exhibit-B, claimed enhanced compensation for the period between 23.12.2021 till 22.08.2022, by his representation dated 22.08.2022. Thereafter, reminders were issued by the petitioner from time to time.

6. Respondent No.5 - Collector sought guidance from the Divisional Commissioner/Respondent No.3. Respondent No.3 by relying on the communication dated 26th August, 2025 addressed by

the Desk Officer to Commissioner (MANREGA) and all the Collectors, wherein it is mentioned that the guidelines of the Central Government dated 23.12.2021 and the planning (EGS) Department's Government Resolution dated 30.09.2022 are self explanatory and accordingly, the allowances be paid, stated that there is no reference in the Government Resolution dated 30th September, 2022 for payment of arrears. Thereafter, vide communication dated 16.09.2025, impugned herein, it was informed to the Collector that the petitioner is entitled to be paid the enhanced honorarium from the date of issuance of Government Resolution dated 30th September, 2022. Being aggrieved by the same, the petitioner has filed present petition.

7. Heard learned counsel for the petitioner and learned A.G.P for the State. Perused the documents placed on record.

8. The Commissioner/Respondent No.3 appears to have mis-read and misinterpreted the communication at Exhibit-B and the Government Resolution dated 30th September, 2022. Clause 4 of Exhibit 'B' makes it clear that the enhanced honorarium is to be paid from the date of issuance of the said Resolution i.e. 23rd December, 2021. By issuing the Government Resolution dated 30th September, 2022, the Government has revised honorarium in accordance with the communication at Exhibit-B. The said Government Resolution nowhere stipulates that the enhanced honorarium is required to be paid from the date of issuance of the Government Resolution.

9. Even the communication dated 26.08.2025 addressed by the Desk Officer is clear, wherein, the relevant portion of Exhibit-B, including the sentence, "this change is effective from the date of

issuance of this order" is quoted and it is made clear that the Central Government's guidelines at Exhibit-B and Government Resolution dated 30.09.2022 are self explanatory. In spite of this clear position, respondent no.3 has erroneously denied the enhanced honorarium to the petitioner by misinterpreting the Government Resolution dated 30.09.2022 as well as the communication dated 26.08.2025. The impugned communication/letter of respondent no.3 is, therefore, unsustainable in law and facts of the present case. Writ Petition, therefore, deserves to be allowed.

10. In the result, Writ Petition is allowed in terms of prayer clauses "B", "C" and "D".

11. Rule is made absolute in the above terms.

12. No order as to the costs.

(VAISHALI PATIL-JADHAV,J.)

(NITIN B. SURYAWANSHI,J.)

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