



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

WRIT PETITION NO. 2695 OF 2024

THE CHIEF OFFICER, NAGAR PARISHAD, YAVATMAL

Vrs.

MORESHWAR RAGHUNATHJI BHAKRE (DEAD) THROUGH LRS AND OTHERS

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri Shreyas Bhaleraro, Advocate for petitioner.
Ms. A. S. Lanjewar, Advocate for respondents.

CORAM: M. W. CHANDWANI, J.

DATE : 25/02/2026.

1. The petitioner challenges the order dated 04/01/2024 passed by the Member, Industrial Court, Yavatmal in the case bearing Complaint No.190/2015 whereby the petitioner was directed to pay to the respondent additional amount towards additional charge of the post of Internal Auditor which he was holding from 09/07/2002 to 14/02/2003 @ 5% upto the upper limit of Rs.750 per month and also directed that the respondent be fixed in the pay scale as applicable to Internal Auditor with effect from 14/02/2003 along with interest @ 6% per annum from 21/11/2015 till full recovery of the said amount.

2. Learned counsel for the petitioner submits that the petitioner was not promoted on the post of Internal Auditor and therefore, he is not entitled for salary of the Internal Auditor.

3. Having heard learned counsel for the petitioner and respondents and having gone through the impugned order, it is not in dispute that the petitioner who was working as an Assistant Auditor was given additional charge of Internal Auditor from 09/07/2002 to 14/02/2003 and thereafter, he was transferred to the post of Internal Auditor from 14/02/2003 till he attained superannuation.

4. Learned Industrial Court has held that the respondent is entitled for remuneration of additional charge of Internal Auditor from 09/07/2002 to 14/02/2003 @ 5% with a ceiling limit of Rs.750/- per month. It is also not disputed fact that from 14/02/2003, the respondent was transferred to the post of Internal Auditor, thereby, it appears that since then, the petitioner was working not as the In-charge of the post of an Internal Auditor but was working as an Internal Auditor independently. Therefore, I do not see any perversity in the order passed by the Industrial Court granting the salary of Internal Auditor to the respondent from 14/02/2003 i.e. when he started working as an Internal Auditor independently.

5. So far as the anxiety of learned counsel for the petitioner that the respondent has already been granted time bound promotion, that issue will not come in way because the petitioner has to pay to the respondent, the difference between the salary which is being paid and the pay scale as applicable to the Internal Auditor.

6. Therefore, there is no merit in the petition.
Petition is devoid of merit. Hence, it is dismissed.

[JUDGE]

Choulwar