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

WRIT PETITION NO.2780 OF 2026

Vilas s/o Annaji Meghe, Wardha and ors.
vs.
State of Maharashtra, Thr. Secretary, Dept. of Agriculture and ors.

Office Notes, Office Memoranda of Coram, appearances, Court's orders of directions and Registrar's orders	Court's or Judge's orders

Shri Sunil U. Bhuyar, Advocate for petitioners.
Shri D. P. Thakare, Additional Government Pleader for respondent Nos.1 to 4.

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.
DATED : 15th April, 2026

P. C.

Heard Shri Sunil U. Bhuyar, learned counsel for the petitioners.

The petitioners who are retired employees of Agriculture Department have approached this Court seeking direction to respondent No.2-Commissioner (Agriculture) to decide their representations dated 17/10/2025 and 10/11/2025 (Annexure-A). By virtue of the aforesaid representations, the petitioners are claiming grant of advance increment for excellent work performed by them with retrospective effect and by pay fixation.

2. Shri S. U. Bhuyar, learned counsel for the petitioners submits that petitioner Nos.1 to 3 were working as Agriculture Assistants and were promoted as Agriculture Supervisors. Petitioner No.4 was initially appointed as Tracer. Petitioner No.1 has retired in 2019

whereas petitioner No.2 has retired in 2016. Similar is the case of petitioner Nos.3 and 4 whose retirement dates are not mentioned in the memo of petition. The petitioners seek the aforesaid benefit of advance increment for their excellent work on the basis of Government Resolution dated 19/11/2007 which provided that every employee who has received excellent remark in their confidential report for continuous three years, shall be granted advance increment and also pay fixation for granting monetary service benefits. The petitioners alleged that such benefit was not granted to them and accordingly they have submitted representations on 17/10/2025 and 10/11/2025 to the respondent No.3-Divisional Joint Director of Agriculture, Nagpur Division, Nagpur, praying for grant of such relief. Since the representations are not decided, the petitioners have approached this Court seeking directions to the respondents to decide the said representations.

3. Having heard Shri S. U. Bhuyar, learned counsel for the petitioners, we are of the considered opinion that the present writ petition is nothing but an attempt on the part of the petitioners to revive their stale claim of such monetary benefit by seeking direction of this Court to decide their representations. The petitioners were completely aware of such monetary benefit granted by respondent No.1-State of Maharashtra, Department of Agriculture vide

Government Resolution dated 19/11/2007. However, during the entire tenure of service, the petitioners did not raise any claim for such monetary benefit. Petitioner No.2 has retired on 30/09/2016, whereas petitioner No.1 has retired in 2019. Thus, the petitioners, even after their retirement took about ten years to approach this Court for grant of such monetary benefit. When enquired with the learned counsel for the petitioners about such inordinate delay for claiming the monetary benefit, the learned counsel has invited our attention to the representation submitted by petitioner No.1 (record page 17 (Annexure-A) which refers to the judgment of Co-ordinate Bench of this Court at Aurangabad dated 09/10/2019 in WP/2356/2019. It also refers to the judgment of Hon'ble Supreme Court of India in SLP (Civil) Diary No.4882/2025.

4. Shri Bhuyar, learned counsel submits that after the aforesaid judgment of the Hon'ble Supreme Court of India in 2025, the petitioners got the aforesaid right and hence have raised such monetary claim on 17/10/2025.

5. Perusal of the judgment passed by the Aurangabad Bench in WP/13965/2019 *(Shrikant Purushottam Lokhande vs. The State of Maharashtra and ors. with connected writ petitions),* record page 78 (Annexure-G) reveals that the issue involved in the said writ petition

was regarding the benefit of advance increment. In the case of those petitioners, they were given benefit of advance increment and later on recovery was initiated against them in view of the Government Resolution dated 24/08/2017. The Scheme of grant of advance increment was discontinued by the Government of Maharashtra vide Government Resolution dated 24/08/2017 and accordingly, recovery was initiated against those petitioners. The Co-ordinate Bench at Aurangabad vide aforesaid judgment has held that Government Resolution dated 24/08/2017 will have prospective effect and not retrospective effect and thus benefit as accorded to the petitioners therein in the year 2006 to 2009 shall not be withdrawn and if any recovery is made pursuant to the same, same shall be refunded to the petitioners.

6. The aforesaid judgment of Aurangabad Bench was carried by the State Government to the Hon'ble Supreme Court of India in SLP (Civil) Diary No.4882/2025 which was dismissed vide order dated 03/03/2025. Thus, the issue involved in the aforesaid petitions was regarding those petitioners who were granted the aforesaid benefit of advance increment and recovery was initiated against some of them in view of Government Resolution dated 24/08/2017. However, the case of the petitioners at hand does not involve such fact. The petitioners who were aware of such benefit from 2007 did not claim the same till

2025 either during the entire tenure of their service or even upto ten years after their retirement. Thus, submitting representations on 17/10/2025 and 10/11/2025 is solely to revive their stale claim. The Hon'ble Supreme Court of India has strongly deprecated such practice of reviving the stale claim by submitting representations and seeking directions of this Court to decide such representations.

7. For the reasons stated above, we are of the considered opinion that the claim raised by the petitioners in representations dated 17/10/2025 and 10/11/2025 is hit by inordinate delay and laches and accordingly, we dismiss the writ petition.

8. No order as to costs.

(Raj D. Wakode, J.) (Anil S. Kilor, J.)

Asmita

Signed by: Smt. Asmita A. Bhandakkar
Designation: PS To Honourable Judge
Date: 18/04/2026 14:32:56