

MAHARASHTRA ADMINISTRATIVE TRIBUNAL

NAGPUR BENCH NAGPUR

C.A. NO. 237 OF 2017 IN 43/2018 IN

ORIGINAL APPLICATION NO. 256 OF 2017 (S.B.)

- 1) Vasant S/o Shankarrao Raut,
Age 57 years, Occ. Service,
R/o Sudke Layout, Shelu Bazar,
Tq. Mampi, Dist. Washim,
DATE OF APPOINTMENT : 09.08.1982.
- 2) Vilas S/o Shyamrao Sawke,
Age 55 years, Occ. Service,
R/o Vipul Niwas, Vinayak Nagar,
Civil Lines, Washim,
Tq. & Dist. Washim,
DATE OF APPOINTMENT : 17.09.1985.
- 3) Deelip S/o Arjun Kankal,
Age 52 years, Occ. Service,
R/o Samta Nagar, Washim,
Tq. & Dist. Washim,
DATE OF APPOINTMENT : 18.12.1985.
- 4) Baban S/o Nathu Thoke,
Age 51 years, Occ. Service,
R/o Mahavir Colony, Karanja,
Tq. & Dist. Washim,
DATE OF APPOINTMENT : 06.10.1990.
- 5) Vijaykumar S/o Wamanrao Naik,
Age 53 years, Occ. Service,
R/o Datta Nagar, Washim,
Tq. & Dist. Washim,
DATE OF APPOINTMENT : 25.08.1983.
- 6) Madhukar S/o Kisan Raut,
Age 51 years, Occ. Service,
R/o Datt Nagar, Washim,
Tq. & Dist. Washim,
DATE OF APPOINTMENT : 30.09.1985.

- 7) Dattatray S/o Keshavrao Kholgade,
Age 55 years, Occ. Service,
R/o Keshav Sadan, Behind Police Station,
Washim,
Tq. & Dist. Washim,
DATE OF APPOINTMENT : 02.08.1984.
- 8) Madhukar S/o Sakharam Dande,
Age 51 years, Occ. Service,
R/o Annapurna Colony, Washim,
Tq. & Dist. Washim,
DATE OF APPOINTMENT : 12.09.1985.
- 9) Vittal S/o Bendraji Gavai,
Age 58 years, Occ. Pensioner,
R/o Mamta Nagar, Karanja,
Tq. Karanja & Dist. Washim,
DATE OF APPOINTMENT : 18.12.1985.
- 10) Sanjay S/o Gajanan Sujdekar,
Age 57 years, Occ. Service,
R/o Mangulpir,
Tq. Mangulpir & Dist. Washim,
DATE OF APPOINTMENT : 17.02.1986.
- 11) Ramchandra S/o Shivramji Ghule,
Age 55 years, Occ. Service,
R/o Datt Colony, Karanja,
Tq. Karanja & Dist. Washim,
DATE OF APPOINTMENT : 09.03.1984.
- 12) Ramdas S/o Haribhau Rakhende,
Age 53 years, Occ. Service,
R/o Arya D.P.Colony, Washim,
Tq. & Dist. Washim,
DATE OF APPOINTMENT : 30.06.1984.
- 13) Laxman S/o Mahadevrao Ingale,
Age 57 years, Occ. Service,
R/o Muramba,
Tq. Murtijapur & Dist. Washim,
DATE OF APPOINTMENT : 25.08.1983.

- 14) Laxman S/o Mahadevrao Idhole,
Age 55 years, Occ. Service,
R/o Adoli,
Tq. Washim & Dist. Akola,
DATE OF APPOINTMENT : 30.09.1995.
- 15) Manohr S/o Narayan Chandan,
Age 59 years, Occ. Pensioner,
R/o Kativesh Road, Subash Chouk, Washim,
Tq. & Dist. Washim,
DATE OF APPOINTMENT : 17.09.1988.
- 16) Vijaykumar S/o Sukhdev Limbole,
Age 57 years, Occ. Service,
R/o Mahalaxmi Vihar, Washim,
Tq. & Dist. Washim,
DATE OF APPOINTMENT : 06.11.1996.
- 17) Govind S/o Anandrao Kanpartiwar,
Age 57 years, Occ. Service,
R/o Pandarkavda,
Tq. Pandharkavda & Dist. Yawatmal,
DATE OF APPOINTMENT : 18.12.1985.
- 18) Pandurang S/o Kashinath Kavalkar,
Age 59 years, Occ. Pensioner,
R/o Bhupesh Nagar, Wadgaon Road, Yawatmal,
Tq. & Dist. Yawatmal,
DATE OF APPOINTMENT : 29.08.1983.
- 19) Ganesh S/o Marotrao Tambakhe,
Age 56 years, Occ. Service,
R/o Vishwash Nagar, Arniroad, Yawatmal,
Tq. & Dist. Yawatmal,
DATE OF APPOINTMENT : 10.02.1986.
- 20) Mahadev S/o Ramchandra Chikte,
Age 59 years, Occ. Pensioner,
R/o Nandepera,
Tq. Wannu & Dist. Yawatmal,
DATE OF APPOINTMENT : 05.01.1984.

- 21) Anil S/o Nathuji Thete,
Age 56 years, Occ. Service,
R/o Krushi Nagar, Arni Road, Yawatmal,
Tq. & Dist. Yawatmal,
DATE OF APPOINTMENT : 18.02.1986.
- 22) Ramesh S/o Bhimrao Punde,
Age 55 years, Occ. Service,
R/o Veni,
Tq. Mahagaon & Dist. Yawatmal,
DATE OF APPOINTMENT : 29.08.1983.
- 23) Bhaskar S/o Kishanrao Take,
Age 57 years, Occ. Service,
R/o S.T.Colony, Jam Road, Yawatmal,
Tq. & Dist. Yawatmal,
DATE OF APPOINTMENT : 25.02.1983.
- 24) Vijay S/o Baburao Mitkari,
Age 58 years, Occ. Pensioner,
R/o Vishal Nagar, Wadgaon Road, Yawatmal,
Tq. & Dist. Yawatmal,
DATE OF APPOINTMENT : 11.12.1985.
- 25) Arvind S/o Bhaskarrao Lokhande,
Age 54 years, Occ. Service,
R/o Vitthalwadi, Yawatmal,
Tq. & Dist. Yawatmal,
DATE OF APPOINTMENT : 02.06.1986.
- 26) Shankar S/o Bhagwanrao Raut,
Age 55 years, Occ. Service,
R/o 93, Gopikrushna Park, Yawatmal,
Tq. & Dist. Yawatmal,
DATE OF APPOINTMENT : 09.09.1983.
- 27) Anil S/o Shankarrao Dave,
Age 58 years, Occ. Pensioner,
R/o Magath Nagari, Darva Road, Yawatmal,
Tq. & Dist. Yawatmal,
DATE OF APPOINTMENT : 06.12.1985.

- 28) Sadashiv S/o Krushnji Uagmuge,
Age 57 years, Occ. Service,
R/o Eshwar Nagar, Yawatmal,
Tq. & Dist. Yawatmal,
DATE OF APPOINTMENT : 30.05.1992.
- 29) Shrikrushna S/o Rambhau Kalekar,
Age 58 years, Occ. Pensioner,
R/o Kelwad,
Tq. Chikali & Dist. Buldhana,
DATE OF APPOINTMENT : 10.02.1986.
- 30) Dattatray S/o Narayan Bharad,
Age 56 years, Occ. Service,
R/o Shikshak Colony, Mehakar,
Tq. Mehakar & Dist. Bhuldana,
DATE OF APPOINTMENT : 10.02.1986.
- 31) Gulabrao S/o Ashruji Eagal,
Age 57 years, Occ. Pensioner,
R/o Ram Nagar, Bhuldana,
Tq. & Dist. Bhuldana,
DATE OF APPOINTMENT : 02.06.1960.
- 32) Madhukar S/o Tukaram Methre,
Age 58 years, Occ. Pensioner,
R/o Krushna Nagar, Chikali,
Tq. Chikali & Dist. Bhuldana,
DATE OF APPOINTMENT : 06.04.1992.
- 33) Madhukar S/o Daulat Kawale,
Age 57 years, Occ. Service,
R/o Gandhi Nagar, Chikali,
Tq. Chikali & Dist. Buldhana,
DATE OF APPOINTMENT : 21.05.1992.
- 34) Rajendrakumar S/o Shyamsundar Dube,
Age 55 years, Occ. Service,
R/o Suyog Sahakari Gruha Nirman Sanstha,
Padampura, Aurangabad,
Tq. & Dist. Aurangabad,
DATE OF APPOINTMENT : 25.08.1992.

- 35) Suresh S/o Totaram Kalwaghe,
Age 55 years, Occ. Service,
R/o Tuls Niwas, Lande Layout, Buldhana,
Tq. & Dist. Buldhana,
DATE OF APPOINTMENT : 13.02.1986.
- 36) Sayyad Jafar Khalil Alvi,
Age 58 years, Occ. Pensioner,
R/o Shahin Colony, Nandura,
Tq. Nandura & Dist. Buldhana,
DATE OF APPOINTMENT : 12.08.1992.
- 37) Mohan S/o Parlhada Pawar,
Age 58 years, Occ. Pensioner,
R/o Sawranjali Nivas, Vitthal Nagar, Mehakar,
Tq. Mehakar & Dist. Buldhana,
DATE OF APPOINTMENT : 29.08.1983.
- 38) Sanjay S/o Rambhau Nikhade,
Age 58 years, Occ. Pensioner,
R/o Moreshwar Colony, Raut Wadi, Akola,
Tq. & Dist. Akola,
DATE OF APPOINTMENT : 09.12.1985.
- 39) Babarao S/o Januji Waghmare,
Age 58 years, Occ. Pensioner,
R/o "Janai", Gayatri Nagar, Akola,
Tq. & Dist. Akola,
DATE OF APPOINTMENT : 04.01.1984.
- 40) Tulsiram S/o Ramchandra Zatale,
Age 57 years, Occ. Service,
R/o Keshav Nagar, Akola,
Tq. & Dist. Akola,
DATE OF APPOINTMENT : 04.01.1984.
- 41) Gajanan S/o Laxman Mahalle,
Age 53 years, Occ. Service,
R/o Santosh Nagar, Khadki, Akola,
Tq. & Dist. Akola,
DATE OF APPOINTMENT : 17.09.1985.

- 42) Gajanan S/o Janrao Tarale,
Age 58 years, Occ. Service,
R/o Gurukul Colony, Malkapur, Akola,
Tq. & Dist. Akola,
DATE OF APPOINTMENT : 07.08.1982.
- 43) Dinkar S/o Narayan Ghoderao,
Age 59 years, Occ. Pensioner,
R/o Uday Nagar, Dabki Road, Akola,
Tq. & Dist. Akola,
DATE OF APPOINTMENT : 11.12.1985.
- 44) Dyaneshwar S/o Haribhau Rakhonde,
Age 57 years, Occ. Service,
R/o Keshav Nagar, Akola,
Tq. & Dist. Akola,
DATE OF APPOINTMENT : 21.07.1982.
- 45) Gajanan S/o Wasudev Kutale,
Age 57 years, Occ. Service,
R/o Ganpati Nagar, Telhara,
Tq. Telhara & Dist. Akola,
DATE OF APPOINTMENT : 03.04.1984.
- 46) Kishor S/o Ramchandra Pande,
Age 55 years, Occ. Service,
R/o Nandipeth, Akola,
Tq. & Dist. Akola,
DATE OF APPOINTMENT : 16.12.1985.
- 47) Ashok S/o Baliram Chaudhary,
Age 57 years, Occ. Service,
R/o Saraswati Nagar, Akot,
Tq. Akot & Dist. Akola,
DATE OF APPOINTMENT : 02.07.1982.
- 48) Ramkrushna S/o Motiram Fulari,
Age 54 years, Occ. Service,
R/o Raut Wadi, Akola,
Tq. & Dist. Akola,
DATE OF APPOINTMENT : 10.02.1986.

- 49) Ganesh S/o Pandurang Kalpande,
Age 54 years, Occ. Service,
R/o Raghunath Sankul, Raut Wadi, Akola,
Tq. & Dist. Akola,
DATE OF APPOINTMENT : 27.05.1986.
- 50) Ravindra S/o Anandrao Sangole,
Age 55 years, Occ. Service,
R/o Pawar Colony, Akot,
Tq. & Dist. Akola,
DATE OF APPOINTMENT : 10.01.1984.
- 51) Gajanan S/o Tulsiram Uagale,
Age 58 years, Occ. Pensioner,
R/o Ram Nagar, Patur,
Tq. Patur & Dist. Akola,
DATE OF APPOINTMENT : 17.05.1984.
- 52) Vishnu S/o Maroti Dhikane,
Age 58 years, Occ. Pensioner,
R/o Gadgewadi, Patur,
Tq. Patur & Dist. Akola,
DATE OF APPOINTMENT : 28.02.1984.
- 53) Dinesh S/o Dayndev Bahale,
Age 53 years, Occ. Service,
R/o Hariom Colony, Amrawati,
Tq. & Dist. Amrawati,
DATE OF APPOINTMENT : 05.09.1983.
- 54) Govind S/o Namdev Pachgade,
Age 55 years, Occ. Service,
R/o Prabhat Colony, Amrawati,
Tq. & Dist. Amrawati,
DATE OF APPOINTMENT : 16.05.1984.
- 55) Gajanan S/o Vitthalrao Mahale,
Age 52 years, Occ. Service,
R/o Nandanwan Colony, Amrawati,
Tq. & Dist. Amrawati,
DATE OF APPOINTMENT : 12.02.1986.

- 56) Prakash S/o Onkarrao Wankhade,
Age 58 years, Occ. Pensioner,
R/o Sneha Colony, Amrawati,
Tq. & Dist. Amrawati,
DATE OF APPOINTMENT : 17.12.1985.
- 57) Sunil S/o Annaji Deshmukh,
Age 54 years, Occ. Service,
R/o Moti Nagar, Amrawati,
Tq. & Dist. Amrawati,
DATE OF APPOINTMENT : 13.08.1992.
- 58) Ganesh S/o Vishwanath Sontakke,
Age 58 years, Occ. Pensioner,
R/o Govind Nagar, Kadali,
Tq. Achalpur & Dist. Amrawati,
DATE OF APPOINTMENT : 27.09.1983.
- 59) Gajanan S/o Ramravji More,
Age 53 years, Occ. Service,
R/o Turkhed,
Tq. Achalpur & Dist. Amrawati,
DATE OF APPOINTMENT : 05.09.1983.
- 60) Vinod S/o Khushalrao Pete,
Age 61 years, Occ. Pensioner,
R/o Civil Lines Paratwada,
Tq. Achalpur & Dist. Amrawati,
DATE OF APPOINTMENT : 14.03.1983.
- 61) Raju S/o Uaddhavrao Deshmukh,
Age 56 years, Occ. Service,
R/o Deshmukhpura, Anjangaon,
Tq. Anjangaon & Dist. Amrawati,
DATE OF APPOINTMENT : 20.03.1985.
- 62) Pradeep S/o Nathuji Chandure,
Age 55 years, Occ. Service,
R/o "Anilsmruti" Besides Ram Mandir, Amrawati,
Tq. & Dist. Amrawati,
DATE OF APPOINTMENT : 19.11.1983.

- 63) Vijay S/o Wamanrao Dakare,
Age 53 years, Occ. Service,
R/o Sai Nagar, Amrawati,
Tq. & Dist. Amrawati,
DATE OF APPOINTMENT : 30.05.1992.
- 64) Sunil S/o Devidas Kale,
Age 57 years, Occ. Service,
R/o Vasant Nagar, Arvi,
Tq. Arvi & Dist. Wardha,
DATE OF APPOINTMENT : 29.11.1985.
- 65) Rajendra S/o Janardhan Nimbhorkar,
Age 56 years, Occ. Service,
R/o Panchwati Colony, V.M.V. Road, Amrawati,
Tq. & Dist. Amrawati,
DATE OF APPOINTMENT : 30.11.1985.
- 66) Ravindra S/o Panjabrao Kowale,
Age 52 years, Occ. Service,
R/o Rahi Nagar, Amrawati,
Tq. & Dist. Amrawati,
DATE OF APPOINTMENT : 01.12.1992.
- 67) Pramod S/o Wamanrao Kukde,
Age 54 years, Occ. Service,
R/o Rahi Nagar, Amrawati,
Tq. & Dist. Amrawati,
DATE OF APPOINTMENT : 22.05.1986.
- 68) Santosh S/o Sadashivrao Jalamkar,
Age 58 years, Occ. Pensioner,
R/o Purva Township, Amrawati,
Tq. & Dist. Amrawati,
DATE OF APPOINTMENT : 09.12.1985.
- 69) Pradeep S/o Narayan Bharsakhale,
Age 56 years, Occ. Service,
R/o New Colony, Dastur Nagar, Amrawati,
Tq. & Dist. Amrawati,
DATE OF APPOINTMENT : 07.08.1992.

- 70) Deepak S/o Madhukar Borkhade,
Age 59 years, Occ. Pensioner,
R/o Balaji Nagar, Achalpur,
Tq. Achalpur & Dist. Amrawati,
DATE OF APPOINTMENT : 29.05.1986.
- 71) Kiran S/o Gopalrao Karanjkar,
Age 57 years, Occ. Service,
R/o Ambepeth, Amrawati,
Tq. & Dist. Amrawati,
DATE OF APPOINTMENT : 29.05.1986.
- 72) Sanjay S/o Shriram Parode,
Age 55 years, Occ. Service,
R/o Gurudev Nagar, V.M.V. Road, Amrawati,
Tq. & Dist. Amrawati,
DATE OF APPOINTMENT : 07.02.1986.
- 73) Vijay S/o Mahadevrao Zagade,
Age 55 years, Occ. Service,
R/o Vivekanand Colony, Amrawati,
Tq. & Dist. Amrawati,
DATE OF APPOINTMENT : 29.05.1986.
- 74) Vijay S/o Gunwantrao Kale,
Age 58 years, Occ. Pensioner,
R/o Ghamodiya Flat, Service,
Tq. Achalpur & Dist. Amrawati,
DATE OF APPOINTMENT : 01.06.1992.
- 75) Mohan S/o Narayanrao Pundkar,
Age 55 years, Occ. Service,
R/o Shivarpan Colony, Amrawati,
Tq. & Dist. Amrawati,
DATE OF APPOINTMENT : 26.05.1986.
- 76) Avinash S/o Gopalrao Pande,
Age 54 years, Occ. Service,
R/o Sharam Safallya Colony, Amrawati,
Tq. & Dist. Amrawati,
DATE OF APPOINTMENT : 07.02.1986.

- 77) Arvind S/o Gopalrao Jagnade,
Age 57 years, Occ. Service,
R/o Ganesh Nagar, Amrawati,
Tq. & Dist. Amrawati,
DATE OF APPOINTMENT : 28.08.1983.
- 78) Jagganath S/o Ramrao Varulkar,
Age 57 years, Occ. Service,
R/o Ganesh Nagar, Amrawati,
Tq. & Dist. Amrawati,
DATE OF APPOINTMENT : 13.08.1992.
- 79) Dhanraj S/o Namdev Pathak,
Age 56 years, Occ. Service,
R/o Shri Nagar, Narayanpur Road, Amrawati,
Tq. & Dist. Amrawati,
DATE OF APPOINTMENT : 22.07.1983.
- 80) Prabhakar S/o Bhaurao Dhokane,
Age 56 years, Occ. Service,
R/o Shivaji Colony, Amrawati,
Tq. & Dist. Amrawati,
DATE OF APPOINTMENT : 09.12.1985.
- 81) Gajanan S/o Shankarrao Kale,
Age 51 years, Occ. Service,
R/o Dyanparva Colony, V.M.V. Area, Amrawati,
Tq. & Dist. Amrawati,
DATE OF APPOINTMENT : 27.10.1986.
- 82) Ravindra S/o Annaji Raut,
Age 56 years, Occ. Service,
R/o Shubham Layout, Amrawati,
Tq. & Dist. Amrawati,
DATE OF APPOINTMENT : 19.09.1985.
- 83) Sudhir S/o Apparao Sangekar,
Age 58 years, Occ. Service,
R/o Chandur,
Tq. Chandur & Dist. Amrawati,
DATE OF APPOINTMENT : 16.06.1989.

- 84) Sunil S/o Madhavrao Boke,
Age 56 years, Occ. Service,
R/o Pudlikbaba Nagar, V.M.V. Road, Amrawati,
Tq. & Dist. Amrawati,
DATE OF APPOINTMENT : 17.12.1982.
- 85) Harihar S/o Dayaramji Khandar,
Age 56 years, Occ. Service,
R/o Bhambora,
Tq. Chandur & Dist. Amrawati,
DATE OF APPOINTMENT : 12.08.1992.
- 86) Pramod S/o Shankarrao Kadu,
Age 57 years, Occ. Service,
R/o Ekvira Colony, Amrawati,
Tq. & Dist. Amrawati,
DATE OF APPOINTMENT : 09.12.1985.
- 87) Balu S/o Vinayak Dhomane,
Age 56 years, Occ. Service,
R/o Gopi Colony, V.M.V. Road, Amrawati,
Tq. & Dist. Amrawati,
DATE OF APPOINTMENT : 09.12.1985.
- 88) Tulsiram S/o Sukhdev Simanikar,
Age 56 years, Occ. Service,
R/o Kishor Nagar, Amrawati,
Tq. & Dist. Amrawati,
DATE OF APPOINTMENT : 02.02.1984.
- 89) Sahebrao S/o Ramla Rathod,
Age 55 years, Occ. Service,
R/o Balaji Nagar, Karanja
Tq. & Dist. Washim,
DATE OF APPOINTMENT : 25.01.1984.
- 90) Ashok S/o Gulabrao Fartode,
Age 55 years, Occ. Service,
R/o Datta Colony, Karanja,
Tq. & Dist. Washim,
DATE OF APPOINTMENT : _____.198_.

- 91) Atul S/o Purushottamrao Deshpande,
Age 53 years, Occ. Service,
R/o Rishod,
Tq. Rishod & Dist. Washim,
DATE OF APPOINTMENT : 25.01.1993.

Applicants.

Versus

- 1) The State of Maharashtra,
Through Secretary,
Agriculture Department,
Mantralaya, Mumbai-32.
- 2) The Agricultural Commissioner,
Agricultural Commissionerate Maharashtra State,
Pune 411001.
- 3) The Divisional Agricultural, Joint Director,
Amravati Division, Amravati,
Tq. & Dist. Amravati.
(Copy to be served on P.O. M.A.T.
of Bombay Bench at Nagpur).

Respondents

Shri V.B.Dhage, the Id. Adv. for the applicants.

Shri S.A.Deo, the Id. C.P.O. for the respondents.

**Coram :- Hon'ble Shri J.D. Kulkarni,
Vice-Chairman (J).**

JUDGMENT

(Delivered on this 26th day of March, 2018)

Heard Shri V.B.Dhage, the learned counsel for the applicants
and Shri S.A.Deo, the learned C.P.O. for the respondents.

2. In this application the C.A.No.23/2017 is for permission to sue jointly whereas the C.A.No.43/2018 is for amendment to the O.A. by virtue of the amendment application. The applicant wants to annexe the chart mentioned in para no. 6 of the C.A.No.237/17 and that all the applicants be allowed to be joined as party applicants in the O.A.No.256/2017.

3. In the O.A.No.256/2017, the applicants are claiming directions to the respondents to grant them second benefit of revised pay in "Assured Career Progressive Scheme" as per the G.R. dated 01/04/2010 w.e.f. the date on which they have completed 24 yrs. of service. It is alleged that the applicants have been wrongly deprived of the said benefit on the ground that they have received monitory benefits of non functional pay structure as per G.R. dated 08/02/1994 and the same benefit was treated as first time bound promotion.

4. Vide C.A. No. 237/2017 all the applicants have prayed that they may be allowed to sue jointly in the O.A.

5. The Id. C.P.O. has strongly objected for allowing the applicant to join as party in the O.A. as well as allowing them to sue jointly on the ground that the cause of action in respect of the applicants and the relief claimed by them is different. It is stated that the case of each applicant will have to be considered on their own merits, and, therefore, they cannot be allowed to join in the same application as party applicants.

6. The Id. counsel for the applicants has placed on record a detailed chart of the applicants at (Annexure-A-7) from Pg. No. 26 to 35 (both inclusive) alongwith the application for amendment. In the said chart, the details are given as per the records, i.e. the name of the applicants, date of their appointment, benefits granted to them as per G.R. dated 08/12/1994, benefits granted as per G.R. dated 08/06/1995, seeking benefits as per G.R. dated 01/04/2010 and the date of retirement of applicants. Perusal of the said chart clearly shows that the cause of action for all the applicants are independent and different. This can be demonstrated by giving an example of first two applicants. The applicant Shri Vasant Shankarrao Raut was appointed on 09/08/1982. Therefore, he got benefit of G.R. dated 08/12/1994 on 09/08/1989, benefit of G.R. dated 08/06/1995 on 09/08/1994, he is seeking benefit of G.R. dated 01/04/2010 on 09/08/2006 and his date of retirement is 31/04/2018. So far as, the applicant no. 2, Vilas Shyamrao Sawke is concerned, it seems that his date of appointment is 17/09/1985. He is claiming benefit of G.R. dated 08/12/1994 from 17/09/1992, benefit of G.R. dated 08/06/1995 from 17/09/1997, benefit of G.R. dated 01/04/2010 from 17/09/2009 and his date of retirement is 31/05/2017. This clearly shows that the cases of both the applicants are different. In the similar fashion, all the applicants are having different dates of appointment and are claiming different dates for the benefits as

per the G.Rs. and, therefore, their date of retirement are also different. Admittedly, the benefits of time bound promotional pay scale is to be given considering different aspects, such as duration of service, eligibility as regards qualification, annual confidential reports etc. and, therefore, the claim of the applicants cannot be one and the same and each applicant's case will have to be considered on its own merits.

7. The Id. counsel for the applicants has also invited my attention to one circular issued by respondent no. 1 on 17/01/2018, the copy of which is at P.B. Pg. No. 36 and 37. Vide such G.R., the respondents have taken a decision to recommend all the cases of the applicants for consideration of their claims regarding time bound promotional scale. If it is so, the applicants can very well place their grievances by filing their separate representation before the competent authority and their claim at this juncture can be said to be premature.

8. On a conspectus of discussion in the foregoing paras, I am therefore, satisfied that all the applicants cannot be joined in O.A. No. 256/2017 nor amendment can be allowed to add them as party applicants. The applicants will be at liberty to chose how many applicants are having similar cause of action, the O.A. can proceed and they will be at liberty to delete the names of the rest of the applicants, accordingly from O.A.No. 256/2017. Hence the following order:-

ORDER

Both the C.As. stand dismissed with no order as to costs. The applicants to take appropriate steps accordingly in the O.A.

Dated :- 26/03/2018

aps

**(J.D. Kulkarni)
Vice-Chairman (J).**