

MAHARASHTRA ADMINISTRATIVE TRIBUNAL**NAGPUR BENCH NAGPUR****ORIGINAL APPLICATION No. 400 of 2022 (S.B.)**

Shri Gopal Kesharao Bire,
Aged about 62 years, Occ. Retired,
R/o Ranade Plots, near S.T. Depo, Wardha, Distt. Wardha.

Applicant.

Versus

- 1) State of Maharashtra,
through the Secretary, Education Department,
Mantralaya, Mumbai-32.
- 2) Dy. Director of Technical Education,
Regional Officer, Civil Lines, Nagpur.
- 3) Head Master,
Government Technical High School, Centre,
Wardha.

Respondents.

**Shri V.K. Paliwal, Advocate for the applicant.
Shri A.M. Khadatkhar, learned P.O. for respondents.**

**Coram :- Hon'ble Shri Justice M.G. Giratkar,
Vice Chairman.**

Dated :- 06/12/2023.

JUDGMENT

Heard Shri V.K. Paliwal, learned counsel for the applicant
and Shri A.M. Khadatkhar, learned P.O. for the respondents.

2. The case of the applicant in short is as under –

The applicant is a retired employee in the year 2014. The
applicant was appointed by respondent no.2 on the post of Instructor

at Government Technical High School Centre, Wardha as per the order dated 29/03/1985. Thereafter, the applicant was given benefit of permanency as per the order dated 06/08/1990. The applicant was given new appointment for extra period from 25/03/2004 till his retirement on 30/11/2014. The applicant had worked for extra period for 15 years and the respondents have not paid the remuneration for the extra period as per law prescribed. The applicant therefore approached to this Tribunal for the following reliefs –

“(7) (i) direct the respondents to pay the arrears of Rs.67,500/- with interest thereon @12% after the retirement dated 30/11/2014 towards the extra worked done by the petitioner during his service tenure from 25/03/2004 to 30/11/2014 in the interest of justice and further be pleased to;

(ii) Saddle the costs of the present petition on the respondents.”

3. The O.A. is strongly opposed by the respondents. It is submitted that the applicant had not forwarded the additional charge taken by him through proper channel i.e. respondent no.3. The applicant not produced daily diary to show that he had done extra / additional work. Moreover, the applicant was given one memo by the Head Master, Government Technical High School Centre, Wardha to hand over the charge. The applicant not produced any document to show that he had done extra work.

4. During the pendency of this O.A., the learned counsel for applicant submitted that all the documents are with the respondents. The Id. P.O. has submitted that the documents are not traceable with the respondents.

5. As per rules, the applicant is entitled for additional pay for extra work done by him as per the G.R. dated 23/05/2006. Both parties have not produced any document to show that the applicant has done extra work and for that he is entitled for the benefit. Hence, the following order –

ORDER

(i) The O.A. is partly allowed.

(ii) The respondents are directed to verify the documents and pay the arrears of additional work done by the applicant as per the rules, if he is eligible and entitled for the same.

(iii) No order as to costs.

Dated :- 06/12/2023.

(Justice M.G. Giratkar)
Vice Chairman.

*dnk.

I affirm that the contents of the PDF file order are word to word same as per original Judgment.

Name of P.A. : D.N. Kadam

Court Name : Court of Hon'ble Vice Chairman.

Judgment signed on : 06/12/2023.