

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO.340/2021**

**DISTRICT:- AHMEDNAGAR**

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Popat Bhushan Ahire,  
Age : 35 years, Occ : Service,  
R/o. Ghar No.1002/157 bhag 2, Panchashil Nagar  
Camp, Malegaon Nashik, At present Government  
Male Begging House, Chimble,  
Tq. Shrigonda, Dist. Ahmednagar. **...APPLICANT**

**V E R S U S**

- 1) The State of Maharashtra,  
Through its Secretary,  
Women and Child Development Department,  
Mantralaya, Mumbai-400032.
- 2) The Commissioner,  
Women and Child Development,  
Maharashtra State, Pune.
- 3) The Superintendent of Government  
Begging House, Chimble, Tq. Shrigonda,  
Dist. Ahmednagar. **...RESPONDENTS**

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APPEARANCE :Shri P.B.Jadhav, Counsel holding for  
Smt. Sharda P. Chate, Counsel for  
Applicant.

:Shri B.S.Deokar, Presenting Officer  
for the respondents.

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**CORAM : JUSTICE P.R.BORA, VICE CHAIRMAN**

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**Decided on: 20-10-2023.**

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**O R A L O R D E R :**

1. Heard Shri P.B.Jadhav, learned Counsel  
holding for Smt. Sharda P. Chate, learned Counsel for the

applicant and Shri B.S.Deokar, learned Presenting Officer appearing for the respondent authorities.

2. The applicant has preferred the present O.A. seeking direction against the respondents to give him Grade Pay of Rs.2400/- which is applicable to his post. Applicant has joined services with the respondents as Agriculture Assistant. Learned Counsel submitted that respondents are paying the salary to the applicant in the pay scale of Rs.5200-20200 with Grade Pay Rs.1900/- whereas the pay scale applicable for the post on which the applicant is working is Rs.5200-20200 with Grade Pay Rs.2400/-.

3. Learned Counsel submitted that applicant has placed on record a document at p.b.page 47 from the Gazette dated 30-01-2019. Learned Counsel submitted that though the applicant is entitled for the said pay scale, respondents have deprived the applicant from the same. Learned Counsel submitted that applicant had also made representation in that regard, however, request of the applicant has not been considered and hence the applicant is constrained to approach this Tribunal.

4. In their affidavit in reply respondents have neither denied the claim of the applicant nor have

expressly admitted it. After having gone through the contents of the O.A. and the documents placed on record, it is quite evident that the applicant is entitled for the Grade Pay of Rs.2400/- instead of Rs.1900/- in the pay scale of Rs.5200-20200.

5. In the affidavit in reply filed on behalf of respondent nos.1 to 3 they have impliedly admitted the aforesaid fact. Gazette which is placed on record at p.b.page 47 also supports the contention of the applicant. O.A., therefore, deserves to be allowed. Hence, the following order:

*O R D E R*

[i] Respondents are directed to grant pay scale of Rs.5200-20200 with Grade Pay of Rs.2400/- to the applicant.

[ii] Arrears flowing from increase in Grade Pay be remitted in favour of the applicant within 12 weeks from the date of this order.

[iii] O.A. is allowed in the aforesaid terms.

[iv] There shall be no order as to costs.

**VICE CHAIRMAN**

**Place : Aurangabad**  
**Date : 20.10.2023.**