

MAHARASHTRA ADMINISTRATIVE TRIBUNAL
NAGPUR BENCH NAGPUR
ORIGINAL APPLICATION NO. 199/2023(S.B.)

Bhimrao S/o. Gulab Somkuwar,
Age about 62 years, Occ.: Retired,
R/o. House No.491/B/17,
Behind Adiwasi Colony, Kranti Surya Nagar,
Katol Road, Nagpur-440 013.

Applicant.

Versus

- 1) The State of Maharashtra,
Through its Secretary,
Water Resources Department,
Mantralaya, Mumbai - 400032.

- 2) Executive Engineer,
Irrigation Project Investigation Division,
J.M. Patel Road, R.R. Colony, Bhandara-441 904.

Respondents

Shri R.M.Fating, Ld. Counsel for the applicant.
Shri V.A.Kulkarni, Ld. P.O. for the respondent no.1.
Shri H.D.Marathe, Ld. Counsel for the respondent no.2.

With

ORIGINAL APPLICATION NO. 533/2023(S.B.)

- 1) Shankar Sonbaji Surjuse,
Aged about 62 years, Occ.:Retired.
R/o.Sankalp Colony, Kakkad Layout,
No.1, Sainagar, Amravati.

- 2) Pandhari Balaji Pise,
Aged about 61 years, occ.: Retired,
R/o. Utkarsh Colony, Wazurkar Layout.
Ward No.5, Karla Road, Pimpari Meghe, Wardha.
- 3) Suresh Mahadeorao Pohane,
Aged about 62 years, Occ.: Retired
R/o. New SBI Colony, Plot No.18,
Ward No.4, Nalwadi, Wardha.
- 4) Mohd. Farooque Mohd. Jafar,
about 62 years, Occ.: Retired,
R/o. Noor Tower, Flat No.306,
Nirmal Nagar, Washim Bypass, Akola.
- 5) Ashok Domaji Mohije,
Aged about 62 years, Occ.: Retired,
R/o.Plot No.4, Shrikrishna Housing Society,
Jaitala, Nagpur.
- 6) Sudhakar Domaji Wanode,
Aged about 65 years, Occ.: Retired,
R/o. Plot No.2, Kachore Layout,
Manish Nagar, Nagpur.
- 7) Suryakant Damodhar Gundapwar,
Aged about 65 years, Occ.:Retired,
Kannamwar Ward, Potegaon Bypass Road,
Gadchiroli.

Applicants.

Versus

- 1) The State of Maharashtra,
Through its Secretary,
Water Resources Department,
Mantralaya, Mumbai - 400032.

- 2) Executive Engineer,
Amravati Construction Division No.1,
Jail Road, Amravati-444602.
- 3) Executive Engineer,
Minor Irrigation Division,
Sevagram Road, Wardha-442004.
- 4) Executive Engineer,
Lower Wardha Division,
Juna Pani Chowk, Arvi Road,
Wardha(Pipari) -442 001.
- 5) Executive Engineer,
Irrigation Projected Division,
Jail Raod, Amravati-444602.
- 6) Executive Engineer,
Ghodazari Canal Division,
Chandrapur Road, Nagbhid 441205.
- 7) Executive Engineer,
Goshikhurd Rehabilitation Division Team,
Plot No.13, Civil Lines, Nagpur-440001.
- 8) Executive Engineer,
Chandrapur Medium Project Division No. 1,
Chandrapur 442 401

Respondents

Shri R.M.Fating, Ld. Counsel for the applicants.
Shri V.A.Kulkarni, Ld. P.O. for the respondents.
Shri T.M.Zaheer, Ld. Counsel for the respondents 3 & 6.

Coram:- Hon'ble Shri M.A.Lovekar, Member (J).

Dated: - 28th July 2023.

JUDGMENT

Judgment is reserved on 21th July, 2023.

Judgment is pronounced on 28th July, 2023.

Heard Shri R.M.Fating, learned counsel for the applicants, Shri V.A.Kulkarni, learned P.O. for the respondents, Shri H.D.Marathe, Id. Counsel for the respondent no.2 and Shri T.M.Zaheer, Id. counsel for the respondents 3 & 6.

2. Common point involved in these O.As. is whether the applicants, all of who retired on 30th June though in different years, are entitled to get increment notionally falling on 1st July of the respective year of their retirement. Since the point for determination is common, it is being decided by this common Judgment.

3. In support of their contention the applicants have relied on G.R. dated 28.06.2023 issued by the Finance Department of Government of Maharashtra. It states –

मा. उच्च न्यायालय, खंडपीठ औरंगाबाद यांनी दिलेले उपरोक्त आदेश विचारात घेऊन सर्व विभागांना खालीलप्रमाणे कळविण्यात येत आहे. जे राज्य शासकीय कर्मचारी दि. ३० जून रोजी सेवानिवृत्त झाले आहेत व ज्यांनी मागील १२ महिन्यांची अर्हताकारी सेवा केलेली आहे अशा सर्व सेवानिवृत्त कर्मचाऱ्यांना दि. ०१ जुलै रोजीची 'काल्पनिक' (Notional) वेतनावाढ विचारात घेऊन, त्यांचे सेवानिवृत्तीवेतन सुधारीत करण्यासाठी संबंधित कार्यालयांकडे अर्ज करण्याबाबत सर्व

संबंधित सेवानिवृत्तांना आवाहन करण्याबाबत, सर्व मंत्रालयीन प्रशासकीय विभागांनी त्यांच्या अधिनस्त कार्यालयातील विभागप्रमुखांना कळवावे.

In view of above referred guidelines, the O.As. are allowed. All the applicants are held entitled to benefits of G.R. dated 28.06.2023. The same shall be extended to them. No order as to costs.

(M.A.Lovekar)
Member (J)

Dated – 28/07/2023
rsm.

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

Name of Steno : Raksha Shashikant Mankawde
Court Name : Court of Hon'ble Member (J).
Judgment signed on : 28/07/2023.
and pronounced on