

MAHARASHTRA ADMINISTRATIVE TRIBUNAL
NAGPUR BENCH NAGPUR
ORIGINAL APPLICATION NO.210/2023(S.B.)

Shri Ramesh Sarayuprasad Jaiswal,
Aged about 73 yrs., Occu. Retired,
R/o. Babhulgaon, Dist. : Yavatmal.

Applicant.

Versus

- 1) The State of Maharashtra,
Through its Secretary,
Department of Forest & Revenue,
Mantralaya, Mumbai – 32.
- 2) The Collector, Yavatmal.
- 3) The Tahsildar, Babhulgaon,
Dist. Yavatmal.

Respondents

Shri G.G.Bade, Ld. Counsel for the applicant.
Shri S.A.Deo, Ld. C.P.O. for the respondents.

Coram:-Hon'ble Shri M.A.Lovekar, Member (J).
Dated: - 21st June 2023.

With

ORIGINAL APPLICATION NO.211/2023(S.B.)

Shri Bhaskar Sambhapa Revanshete,
Aged about 70 yrs. Occu. Retired,
R/o. Samta Nagar, Wardha Road,
Near Sai Mandir, Yavatmal.

Applicant.

Versus

- 1) The State of Maharashtra,
Through its Secretary,
Department of Forest & Revenue,
Mantralaya, Mumbai – 32.
- 2) The Divisional Commissioner,
Amravati Division, Amravati.
- 3) The Collector, Yavatmal.

Respondents

Shri G.G.Bade, Ld. Counsel for the applicant.
Shri S.A.Deo, Ld. C.P.O. for the respondents.

Coram:-Hon'bleShriM.A.Lovekar, Member (J).
Dated: - 21st June 2023.

With

ORIGINAL APPLICATION NO.213/2023(S.B.)

Shri Suresh s/o Mahadeo Chaukhade,
Aged about 68 yrs., Occu. Retired,
R/o. Mangesh Nagar, Vandematram Chowk,
Yavatmal, Dist. : Yavatmal.

Applicant.

Versus

- 1) The State of Maharashtra,
Through its Secretary,
Department of Rural Water Supply & Cleaning,
Mantralaya, Mumbai – 32.
- 2) The Director Ground Water Survey &
Development Machinery,
Shivaji Nagar, Pune.
- 3) The Deputy Director, Ground Water
Survey & Development Machinery,

Amravati Division, Amravati.

- 4) The Senior Geologist, Ground Water
Survey & Development Machinery,
Yavatmal.

Respondents

Shri G.G.Bade, Ld. Counsel for the applicant.
Shri S.A.Deo, Ld. C.P.O. for the respondents.

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

Dated: - 21st June 2023.

JUDGMENT

Judgment is reserved on 16th June, 2023.

Judgment is pronounced on 21st June, 2023.

Heard Shri G.G.Bade, learned counsel for the applicants and Shri S.A.Deo, learned C.P.O. for the respondents.

2. The applicants in these O.As. retired on 30th June though in different years. Their common grievance is that while fixing their terminal benefits the increment notionally falling due on the immediately following 1st July was not taken into account. Since this issue is no longer res-integra, the O.As. were heard together finally and the same are being disposed of by this common Judgment.

3. In "***the Director (Admn & HR) KPTCL & others Versus C.P.Mundinamani & Ors. (Judgment dated 11.04.2023 in Civil Appeal***

No.2471 of 2023(@SLP (C) No.6185/2020)” the Hon’ble Supreme Court has held that the entitlement to receive increment crystallises when the Government servant completes requisite length of service with good conduct, and becomes payable on the succeeding day. In view of this legal position the O.As. are allowed in the following terms-

The applicants are held entitled to one notional increment falling due on the immediately succeeding day of their retirement, and all consequential benefits flowing therefrom. The respondents are directed to pay arrears accordingly within three months from today, and further ensure payment of revised pension. No order as to costs.

(M.A.Lovekar)
Member (J)

Dated – 21/06/2023
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 : 21/06/2023.
and pronounced on