

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL**  
**NAGPUR BENCH NAGPUR**  
**REVIEW APPLICATION NO.02/2023 IN**  
**ORIGINAL APPLICATION No. 527/2019 (S.B.)**

Shri Ganpat s/o Shivram Rakhunde,  
Aged about 68 yrs.,  
Occu.: Retired Government servant,  
R/o 8, Sumitra Nagar, Devai Govindpur,  
Tukum, Chandrapur.

**Applicant.**

**Versus**

- 1) The Secretary,  
Ministry of Finance,  
Mantralaya, Mumbai- 400 032.
- 2) The Director of Accounts & Treasuries,  
101 – Maharashi Karve Road,  
Mumbai – 20.
- 3) The Director of Accounts & Treasuries,  
Civil Lines, Nagpur – 01.
- 4) The District Treasury Officer,  
Chandrapur – 442401.

**Respondents**

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**Shri S.M.Khan, Id. Counsel for the applicant.**

**Shri M.I.Khan, Id. P.O. for the Respondents.**

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**Coram :- Hon'ble Shri Justice M.G.Giratkar, Vice Chairman.**  
**Dated :- 20.11.2023.**

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## **JUDGEMENT**

Heard Shri S.M.Khan, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the Respondents.

2. This review application is filed to correct the order dated 06.12.2022 in O.A.No.527/2019. The O.A.No.527/2019 was filed for the following reliefs-

***(i) to grant the benefits of Deemed date of Promotion w.e.f. 03/10/1997.***

***(ii) to consider and pay the benefits of one step promotion as per GR No- 2000/3 dated 06/08/2002.***

***(iii) to pay interest on delayed payment of arrears of service period & after retirement on Pension, Gratuity & other retrial benefits @ 18% per annum till the actual date of payment.***

3. The learned P.O. has pointed out the order and submitted that this Court specifically dismissed the prayer clause nos.(ii) and (iii) and therefore, this review application is not maintainable. There is no error or mistake in the order. Hence, review application is liable to be dismissed.

4. The learned counsel for the applicant submits that the prayer in respect of grant of promotional pay as per the G.R. dated

06.08.2002 was rejected, but in the said O.A. the applicant prayed for grant of interest on the delayed payment.

5. From the perusal of the order dated 06.12.2022, it is clear that the counsel for the applicant had fairly submits that the applicant has received the benefit of deemed date of promotion and therefore prayer clause no.(i) not survived. In respect of prayer clause nos.(ii) and (iii) this Tribunal has held that promotional pay as per the G.R. dated 06.08.2002 is applicable to the employee working in the naxalite area till he actually works in the said area. After the retirement, the benefit of the said G.R. cannot be given. The applicant had prayed for arrears after retirement by granting the promotional pay etc.----- . This Tribunal has specifically recorded this reason that applicant is not entitled to get the benefit of G.R. dated 06.08.2002 after the retirement, because the said G.R. is applicable to the employee working in the naxalite area till he actually works in the said area. This Tribunal has passed the following order-

***The O.A. is disposed of as nothing survives in respect of prayer clause no.(i) and dismissed in respect of prayer clause no.(ii) and (iii). No order as to costs.***

6. This Tribunal has specifically dismissed prayer clause nos.(ii) and (iii). The applicant he is aggrieved by the said order, then he was at liberty to challenge the same. From the perusal of the Judgment

prima facie there is no error or mistake in the Judgment. Hence, the following order-

**ORDER**

The review application is dismissed with no order as to costs.

**(Justice M.G.Giratkar)**  
**Vice Chairman**

**Dated :- 20/11/2023.**  
**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 Vice Chairman.

Judgment signed on : 20/11/2023.  
and pronounced on