

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL**  
**NAGPUR BENCH NAGPUR**  
**ORIGINAL APPLICATION No. 720 of 2022 (S.B.)**

- (1) Dhanlal S/o. Shriram Sawarkar,  
Aged about 66 yrs., Occ.- Pensioner,  
R/o. Plot No. 60, Trust line Vishwakarma Nagar,  
Nagpur. Mob. 9923170271.
- (2) Shyamrao S/o. Chircutrao Raut,  
Aged 68 yrs., Occ.- Pensioner  
R/o. Musani layout Alodi, Sathoda Road,  
Wardha, Tah, + Distt. Wardha Mob. 9545765352.

**Applicants.**

**Versus**

- 1) The State of Maharashtra,  
through its Secretary,  
Home Department, Mantralaya, Mumbai-32.
- 2) The Superintendent of Police Wireless East Zone,  
Nagpur, Katol Road near MSEB Office, Nagpur.
- 3) The Superintendent of police,  
Gondia Phulchur, Amgaon Road,  
Tah. + Dist. Gondia (MS).
- 4) The Accountant General -II (Accounts & Entitlement),  
Pension wing old building Post Box No. 114,  
GPO, Civil Line, Nagpur-440001, Maharashtra.
- 5) The Director General of Police,  
Maharashtra State Shahid Bhagatsingh marg,  
Mumbai-1.

**Respondents.**

---

**Shri S.M. Khan, Advocate for the applicants.**

**Shri V.A. Kulkarni, learned P.O. for respondents.**

---

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

**Dated :- 29/01/2025.**

---

## **J U D G M E N T**

Heard Shri S.M. Khan, learned counsel for the applicants and Shri V.A. Kulkarni, learned P.O. for the respondents.

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

Both the applicants retired after completion of age of superannuation. Applicant no.1 retired on 30/06/2014 and applicant no.2 retired on 30/06/2012. They were not granted increment which falls due on 1<sup>st</sup> July of the respective year. Therefore, they approached to this Tribunal for the following reliefs –

*“(7) (i) That quash and set-aside the impugned order vide Annexure-11 as it is illegal.*

*ii) That give direction to the respondents to release one annual increment from the date of 01/07/2014 to the applicant No. 1 as well as from the date of 01/07/2012 to the applicant No. 2 fell on 1st July respectively while retirement.*

*iii) That give direction to the Respondent to give retrospective effect to the gratuity, commutation and encashment and other consequential benefit.*

*iv) That give direction to draw the arrears thereof within time frame limit.”*

3. The O.A. is strongly opposed by the respondents. It is submitted that the applicants have retired before 1<sup>st</sup> July of the respective year and therefore they are not entitled to get increment.

4. The issue in respect of grant of increment which falls due on 1<sup>st</sup> July of the respective year is settled by the Judgment Hon'ble Division Bench of Madras High Court in the case of ***P. Ayyamperumal Vs. The Registrar, Central Administrative Tribunal and Others*** . The Division Bench of Madras High Court has held that the employee who retires on 30<sup>th</sup> June is entitled to get increment which falls due on 1<sup>st</sup> July of the respective year. The said Judgment was challenged before the Hon'ble Supreme Court in SLP No.6185/2020, the said SLP was dismissed on 11.04.2023. Thereafter, the Government of Maharashtra has issued G.R. dated 28.06.2023. Now the Government of Maharashtra has taken a decision to grant increment which falls due on 1<sup>st</sup> July.

5. During the course of submission, the learned counsel for applicants has submitted that applicant no.1 is granted increment which falls due on 1<sup>st</sup> July and therefore only issue in respect of applicant no.2 is to be decided. Applicant no.2 retired on 30/06/2012. Therefore, he is entitled to get increment which falls due on 1<sup>st</sup> July, 2012. Hence, the following order –

**ORDER**

(i) The O.A. is allowed.

(ii) The respondents are directed to grant increment which falls due on 1<sup>st</sup> July of 2012 to applicant no.2 Shri Shyamrao Chircutrao Raut.

(iii) No order as to costs.

**Dated** :- 29/01/2025.

**(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 Steno : D.N. Kadam

Court Name : Court of Hon'ble Vice Chairman.

Judgment signed on : 29/01/2025.