

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 7187 OF 2015

Rajendra Ramji Dhawale and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Ms. P. S. Talekar, Advocate i/by Shri S. B. Talekar, Advocate for
Petitioners.

Shri M. A. Deshpande Addl.G.P. for the Respondent No. 1.

Shri R. S. Deshmukh, Advocate for the Respondent No. 2.

**CORAM : S. V. GANGAPURWALA AND
R. G. AVACHAT, JJ.**

DATE : 27TH NOVEMBER, 2018.

ORDER :

. The learned Additional Government Pleader submits that, it is for the High Court to implement the Government Resolution dated 15.09.2018. The letter to that effect has been issued to the Registrar Inspection - I, High Court of Bombay on 06.11.2018.

2. Ms. Talekar, the learned advocate for petitioners submits that, in Pune district the G. R. dated 15.09.2018 is implemented, however, same is not implemented in other districts.

3. Mr. Deshmukh, the learned advocate for the respondent

No. 2 shall consider the letter dated 06.11.2018 issued by the Government, copy of which is given to him, so as to enable the High Court to issue necessary directions for implementation of G. R. dated 15.09.2018.

4. The only dispute that would remain is effective date. Mrs. Deshpande, the learned Addl. G. P. refers to the letter dated 06.11.2018 issued by the legal advisor cum Joint Secretary, Law and Judiciary Department, Mantralaya, Mumbai to suggest that the restructuring will be effected from the date of issuance of subsequent G. R. dated 15.09.2018.

5. In our order dated 17th October, 2018, we had observed about the order of the Apex Court dated 07.10.2009 passed in various interlocutory applications in Writ Petition (C) No. 1022 of 1989, wherein it is observed that, the Apex Court has directed that the recommendations be implemented with effect from 01.04.2003.

6. We had adjourned the matter so as to enable the State Government to make a statement in that regard.

7. The respondent/State shall justify on affidavit as to how, they would be entitled to state that implementation of G. R. dated 15.09.2018 would be from the date of G. R. and not from

01.04.2003 as observed by the Apex Court in Writ Petition (C)
No. 1022 of 1989.

Stand over to 11.12.2018.

[R. G. AVACHAT, J.]

[S. V. GANGAPURWALA, J.]

bsb/Nov. 18