

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.610/2025

The State of Maharashtra and Ors.

Vs.

Shri Sunil Jagdish Kokate

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Mr. S. M. Ghodeswar, A.G.P. for Petitioners/State.

CORAM : NITIN W. SAMBRE AND
MRS.VRUSHALI V. JOSHI, JJ.

DATED : 03/04/2025.

1. The respondent was appointed as a 'Daily Wage Employee' in 1983 and post completion of five years was conferred status of "Labour/Majdoor" on 20.07.1991 with effect from 01.09.1988 in the pay scale of Rs.750-12-870-14-940.

2. On 02.12.2000, the petitioner was posted on Class-IV post in the pay scale of Rs.2610-60-2910-65-3300-70-4000. Subsequently, on 22.12.2003, he was posted as "Karkoon" which is a Class-3 post in the pay band of Rs.3050-75-3950-80-4590.

3. In this background, the respondent has approached the Maharashtra Administrative Tribunal claiming that he having completed a continuous service of 12 years since last benefit of Assured Career Progress Scheme (for short, "ACPS"), he is entitled for the third benefit as the first benefit was conferred in 2000 and second in 2003. The Tribunal proceeded to grant the said benefit, as such, this petition.

4. Mr. Ghodeswar, learned A.G.P. would urge that the Tribunal has erred in granting the benefit particularly when once the petitioner was granted benefit in 2000, thereafter in 2003, he is not entitled for the benefit of ACPS particularly when on 10.07.2008 he was promoted to the post of “Civil Engineer Assistant” on a higher pay scale.

5. Issue notice for final disposal to the respondent, returnable on 21.04.2025.

(MRS. VRUSHALI V. JOSHI, J.) (NITIN W. SAMBRE, J.)