

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

**WRIT PETITION No. 3863 OF 2002**

Shri Ananda Sakharam Chaudhari .. Petitioner

Versus

The Education Officer (Primary) .. Respondents  
Zilla Parishad, Jalgaon & Ors.

Mr.V.T. Choudhari, Advocate for the petitioner.

Mr.R.N. Chavan h/f. Mr. Vijay Sharma, Advocate for  
respondent No.1.

Mr.U.S. Mote, AGP for respondent No.3.

**CORAM : A.V. NIRGUDE &  
V.K. JADHAV, JJ.**

**DATED : 21.01.2015**

**P.C. :-**

1. Heard. Learned Counsel for the petitioner stated that his client is still alive and is interested in the petition. Even today, respondent No.1 has not filed reply. Learned Counsel appearing for respondent No.1 is seeking adjournment. The request for adjournment is rejected.

2. The petitioner is now more than 80 years old. He was Head master of Zilla Parishad school in one of the villages of Jalgaon district. He retired from service on 31.01.1988. In 1986 Chatopadhyay Pay Commission i.e. 4<sup>th</sup>

Pay Commission came into force and was made applicable from 1<sup>st</sup> January, 1986. The petitioner's contention was that he was entitled to certain pay-scale. While he was in service, he made certain representations to grant him such pay-scale w.e.f. 01.09.1986. The Education Officer, after examining his case, recommended to the Block Development Officer, Panchayat Samiti to fix pension of the petitioner as per 4<sup>th</sup> Pay Commission pay-scale. But this was not done and therefore this petition is not filed.

3. Respondent No.2 is directed to consider the case of the petitioner on merit and as per the recommendations of the Education Officer. Respondent No. 2 shall also grant further benefits of 5<sup>th</sup> and 6<sup>th</sup> pay-commission recommendations to the petitioner and pay him arrears within one month from today.

4. The writ petition is allowed in terms of above directions. Rule made absolute accordingly. No costs.

**[V.K. JADHAV, J.]**

**[A.V. NIRGUDE, J.]**