

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

Writ Petition No.1765/2014

Prabhakar Rambhauji Radke Vs. State of Maharashtra and others.

Notes, Office Memoranda of

Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's
Orders.

Shri Sachin Khandekar, Advocate for the petitioner.
Shri N.S. Khubalkar, AGP for the respondent
nos.1 to 3.

**CORAM : SMT. VASANTI A. NAIK &
A.M. BADAR , JJ.**

DATED : MARCH 24, 2015.

Heard.

By this petition, the petitioner seeks a direction to the respondents to process the claim of the petitioner for pay fixation, as per the judgment dated 28.4.2011 in Writ Petition No.177/2011.

It is stated on behalf of the petitioner that the issue involved in this case stands answered in favour of the petitioner by the judgment dated 28.4.2011 in a bunch of the Writ Petitions bearing Writ Petition No.177/2011 and others. It is stated that by allowing those petitions, this Court had directed the revision of pay-scale of the petitioners therein in accordance with the Rules of 1988 with consequential benefits.

Till the previous date of hearing, a submission was made on behalf of the State Government by the learned Assistant Government Pleader that though the Special Leave Petition filed against the aforesaid judgment of this Court was dismissed, a Review Petition is pending before the Hon'ble Supreme Court and hence this Court had adjourned the matter. It is, however, pointed out by the learned counsel for the petitioner that the Review Petition is also dismissed on 26th February, 2015 and it would now be necessary for the State Government to immediately revise the pay-scale of the petitioner and pay the arrears.

For the reasons recorded in the judgment dated 28.4.2011 in Writ Petition No.177/2011 and others, we allow this writ petition. The respondents are directed to grant revised pay-scale to the petitioner in accordance with the Rules of 1988 with consequential benefits. The said revision and payment of arrears should be given to the petitioner, as early as possible, and positively within a period of 12 weeks.

It is stated on behalf of the petitioner that the respondent-Management has already sent the bills as per the revised pay scale to the State Government. If the said

bills are not submitted to the Government as yet, we direct the respondent no.4 to send the relevant salary bills for the revised pay-scale to the Education Officer within a period of two weeks, from the date of receipt of the order.

Order accordingly. No costs.

JUDGE

JUDGE

Ambulkar