

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

WRIT PETITION NO. 3999/2014.

Shri Vasant Maroti Werulkar and another.

-VERSUS-

State of Maharashtra and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

CORAM : **B.P.DHARMADHIKARI**
& P.N. DESHMUKH, JJ.

DATE : **AUGUST 20, 2015.**

Heard Shri U.A. Gosavi, the learned counsel for the petitioners and Mrs. B.P. Maldhure, learned Assistant Government Pleader for respondent nos. 1 to 4. Nobody appears for respondent nos. 5 and 6, though they are served.

2. Grievance of petitioners is, though they possess graduate qualification in Library Science, instead of extending them pay scale of Rs. 5500-9000, a lower pay scale of Rs. 4000-6000, has been given. Shri Gosavi, learned counsel submits that both the

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petitioners are graduates, and thereafter have obtained degree in Library Science. He has also invited our attention to the approval given by the respondent no.4 to the appointment of the petitioner no.2. He is seeking time of two weeks to produce similar approval given to the petitioner no.1.

3. Mrs. Maldhure, the learned Assistant Government Pleader is relying upon the reply-affidavit which is filed by respondent no.4. She submits that determination of pay scale is the job of the State Government, and respondent no.4 cannot do anything in the matter. She further states that she is awaiting instructions from respondent nos. 1 to 3.

4. In this situation, we find that interest of justice can be met with by directing the petitioners to submit appropriate representation, pointing out approval in their favour along with their qualifications, and requesting for grant of appropriate pay scale. If such representation is made by the petitioners to the respondent no.3 within a period of three weeks from today, the respondent no.3 shall consider the same in accordance with law, within a further period of six weeks. If respondent no.3 finds it necessary, he is free

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to place it before his superior authorities. In that event, the superior authority shall also take a decision upon the said issue within a further period of six weeks, of the grievance being placed before them. If necessary, opportunity of hearing be extended to both the petitioners and their management.

5. With these directions and keeping all rival contentions open, we partly allow the petition and dispose of the same. No costs.

JUDGE

JUDGE

Rgd.