

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO. 1381 OF 2016**

1. Sriram s/o Devidas Joshi
 2. Prakash s/o Tulshiram Chaudhari
 3. Prakash s/o Mangilal Kothari
 4. Arun s/o Shankar Bhole
 5. Shaila Tukaram Birajdar
- ... Petitioners**

VERSUS

1. The State of Maharashtra
Through its Principal Secretary,
Higher & Technical Education
Mantralaya, Mumbai 400 032
2. The Director of Higher Education, **... Respondents.**
Maharashtra State,
Central Building, Pune.
3. The Joint Director of Higher
Education, 1st Floor, Maharashtra
Jeevan pradhikaran Building,
Jalgaon, Dist. Jalgaon.
4. KCE Society's Moolji Jaitha
College, Jalgaon, dist. Jalgaon.

Advocate for Petitioners : Mr.Pramod A. Pisal
Mr. P.S. Patil, A.G.P. for the Respondents 1 to 3
Mr. A. V. Hon, Advocate for Respondent No.4

**CORAM : R. M. BORDE &
 K. L. WADANE, JJ.**

DATE : 10th June, 2016

ORAL JUDGMENT (Per Borde, J.):

1. Heard the learned counsel for the parties.
2. Rule. Rule made returnable forthwith and the

petition is heard for final disposal by the consent of learned counsel for the respective parties.

3. The petitioners are requesting for issuance of direction to the respondents for stepping up their pay so as to bring it at par with the junior Associate Professor w.e.f. the date of revision of pay/salary as per Government Resolution dated 12.08.2009.

4. The facts giving rise to the instant petition need not be stated in detail since those are undisputed. Even otherwise, the facts are identical as in the case of Dr. Sudhakar Murlidhar Lawande and others Vs. State of Maharashtra (WP No.11129/2015) and in the case of Sudamrao Keshavrao Aher & ors. Vs. the state of Maharashtra & others in W.P. No.10283/2012, decided on 21st November, 2013 [2014(1) ALL MR 697).

5. For the reasons recorded while disposing of the aforesaid matter presented by Sudamrao Aher and others, the instant writ petition also deserves to be allowed and the same is accordingly allowed.

6. The respondents shall take necessary action to step up the pay of the petitioners so as to bring it at par with juniors where all the parameters are same

and shall not discriminate only because the junior teachers have acquired Ph.D. Degree and are getting higher salary during implementation of 6th Pay Commission's recommendations. The salaries of the petitioners may be re-fixed and arrears be paid within a period of six months.

7. Rule is made absolute accordingly.

8. There shall be no order as to costs.

(K. L. WADANE, J.)

(R. M. BORDE, J.)