

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

WRIT PETITION NO. 6703 OF 2016

1. Bhatajirao Sitaram Patil
Age: 63 years, Occu.: Retired,
R/o Yamuna, Deshmukh Nagar,
Pimpale Road, Amalner, Dist. Jalgaon.
2. Sau. Vidya girish Chauk
Age: 62 years, Occu.: Retired,
R/o Jaihind Colony, Dhule.
3. Suresh Vitthalrao Patil
Age: 62 years, Occu.: Retired,
R/o Gayai, Reu Nagar,
Dhekusim Road, Amalner,
Dist. Jalgaon.
4. Satish Bansilal Sonar
Age: 61 years, Occu.: Retired,
R/o Keshav Nagar, Near Bangali File,
Amalner, Dist. Jalgaon.
5. Vinay Purushottam Joshi
Age: 54 years, Occu.: Service,
R/o New Plot, Shanimandir Lane,
Amalner, Dist. Jalgaon.
6. Ratnakar Prabhakar Patil
Age: 57 years, Occu.: Service,
R/o Vrundavan Nagar,
Dhekusim Road, Amalner, Dist. Jalgaon.
7. Lalit Laxmikant Momaya
Age: 55 years, Occu.: Service,
R/o 35, Prabhakar Deshmukh Nagar,
Near Swami Samarth Kendra,
Amalner, Dist. Jalgaon.

8. Rajendra Pandit Badgujar
Age: 59 years, Occu.: Service,
R/o Keshav Nagar, Near Bangali File,
Amalner, Dist. Jalgaon.
9. Sau. Lalita Ashok Patil
Age: 54 years, Occu.: Service,
R/o Nandanwan Colony, Behind Court,
Amalner, Dist. Jalgaon.
10. Vishwasrao Vasantrao Sonawane
Age: 52 years, Occu.: Service,
R/o R.K. Colony, Dhule Road,
Amalner, Dist. Jalgaon.

..PETITIONERS

VERSUS

1. State of Maharashtra
Through its Principal Secretary,
Higher and Technical Education Department,
Mantralaya – Annex, Mumbai-32.
2. The director of Higher Education,
Maharashtra State, Central Building,
Pune, Dist. Pune
3. The Joint Director of Higher Education,
First Floor, Maharashtra Jeevan Pradhikaran Building,
Jalgaon, Dist. Jalgaon.
4. The North Maharashtra University,
Post Box No.80, Umavi Nagar,
Jalgaon, Dist. Jalgaon.
Through its Registrar.
5. Khandesh Education Society, Amalner
Dist. Jalgaon.
Through its Secretary
6. Pratap College, Amalner, Dist. Jalgaon.
Through its Principal.

..RESPONDENTS

**WITH
WRIT PETITION NOS. 6704 OF 2016 AND 6705 OF 2016**

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Mr. G.S. Rane, Advocate for petitioners.
Mr. S.S. Dande, A.G.P. for Respondent Nos. 1 to 3.
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**CORAM : R.M. BORDE AND
K.K. SONAWANE, JJ.
DATED : 18th AUGUST, 2016**

ORAL JUDGMENT (Per : R.M. 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/pension 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/M.Phil qualification as the case may be and are getting higher salary/pension during implementation of 6th Pay Commission's recommendations. The salaries of the petitioners may be refixed 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.

SSD (K.K. SONAWANE, J.) (R.M. BORDE, J.)