

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.9336 OF 2016

- 01 Dr.Raghunath Totaram Mahajan,
age: 63 years, Occ: Retired,
R/o 23/A, Sanmitra Colony,
Near Godavari Flour Mill,
Jalgaon, District Jalgaon.
- 02 Dr.Dileep Tolu Nehete,
age: 60 years, Occ: Retired,
R/o 205, Arpan Apartment,
Shivram Nagar, Jalgaon,
District Jalgaon.
- 03 Dr.Jayprakash Ninu Chaudhari,
age: 53 years, Occ: Service,
R/o Plot No.19, "Mruduprakash",
Samartha Colony, M.J.College Road,
Jalgaon, District Jalgaon.
- 04 Dr.Vishavanath Shripat Zope,
age: 57 years, Occ: service,
R/o "Matrusadan", Plot No.4,
Aradhana Colony, Near Postal
Colony, Jalgaon,
District Jalgaon.
- 05 Dr.Mrs.Devyani Satish Bendale,
age: 57 years, Occ: service,
R/o Shradha Colony,
Near Telephone Nagar,
Jalgaon, District Jalgaon.
- 06 Dr.Mrs.Gauri Milind Rane,
age: 52 years, Occ: service,
R/o 16, Ramdas Colony,
Near Old RTO, Jalgaon,
District Jalgaon.

Petitioners

Versus

- 01 The State of Maharashtra,
through its Principal Secretary,
Higher and Technical Education
Department, Mantralaya,
Annex, Mumbai-32.
- 02 The Director of Higher Education,
Maharashtra State, Central
Building, Pune, District Pune.
- 03 The Joint Director of Higher
Education, First Floor,
Maharashtra Jeevan Pradhikaran
Building, Jalgaon, District Jalgaon.
- 04 The North Maharashtra University,
Post Box No.80, Umavi Nagar,
Jalgaon, District Jalgaon,
through its Registrar.
- 05 Khandesh College Education
Society's Moolji Jaitha College,
Jalgaon, Jalgaon, District Jalgaon,
through its Principal.

Respondents

Mr.Girish S. Rane, advocate for petitioners.
Mr.S.B.Yawalkar, A.G.P. for Respondents No.1 to 3.
Respondents No.4 & 5 served.

WITH
WRIT PETITION NO.7815 OF 2016

- 01 Dr.Bhagwat Narayan Muthal,
age: 55 years, Occ: service
as Associate Professor in
Shri Shivaji College, Kandhar,
Tal: Kandhar, District Nanded.
- 02 Dr.Smt.Zeenathunnisa Begum
Sayyad Manzar Mazatr Ali,
age: 61 years, Occ: service as
Associate Professor in
Shri Shivaji College, Kandhar,

Tal: Kandhar, District Nanded.

- 03 Dr.Nalla Jagmohan Reddi,
age: 46 years, Occ: service
as Professor in
Shri Shivaji College, Kandhar,
Tal: Kandhar, District Nanded.
- 04 Dr.Anil Murlidhar Kathare,
age: 50 years, Occ: service,
as Associate Professor in
Shri Shivaji College, Kandhar,
Tal: Kandhar, District Nanded.
- 05 Dr.Eknath Sundarrao Pawar,
age: 60 years, Occ: service
as Associate Professor in
Shri Shivaji College, Kandhar,
Tal: Kandhar, District Nanded.
- 06 Dr.Girmaji Ramchandra Pagade,
age: 54 years, Occ: service,
as Associate Professor in
Shri Shivaji College, Kandhar,
Tal: Kandhar, District Nanded.
- 07 Dr. Ravindra Nittymanand Khule,
age: 51 years, Occ: service
as Associate Professor in
Shri Shivaji College, Kandhar,
Tal.: Kandhar, District Nanded.

Petitioners

Versus

- 01 The State of Maharashtra,
through its Secretary,
Higher and Technical Education,
Mantralaya, Mumbai-32.
- 02 The Director of Higher Education,
Maharashtra State, Central
Building, Pune-410001.

03 The Joint Director,
Higher Education,
Nanded Region, Nanded.

04 The Secretary,
University Grants Commission,
Bahadur Shah Jafar Marg,
New Delhi – 110 002.

05 The Registrar,
Swami Ramanand Tirth
Marathwada University,
Nanded.

06 The Principal,
Shri Shivaji College of Arts,
Commerce and Science,
Shivajinagar, Kandhar,
Tal: Kandhar, District Nanded.

Respondents

Mr.V.D.Gunale, advocate for petitioners.

Mr.M.B.Bharaswadkar, A.G.P. for Respondents No.1 to 3.

Mr.S.B.Deshpande, Assistant Solicitor General for Respondent No.4.

Mr.V.P.Latange, advocate for Respondent No.5.

Respondent No.6 served.

WITH
WRIT PETITION NO.6193 OF 2016

01 Dr.Jayram Gena Mete,
age: 58 years, Occ: service
as Associate Professor in
Shri Sant Gadge Maharaj College,
Loha, Tal: Loha, District Nanded.

02 Dr.Sanjay Virbhadrappa Mandge,
age: 51 years, Occ: service as
Associate Professor in
Shri Sant Gadge Maharaj College,
Loha, Tal: Loha, District Nanded.

03 Dr.Ghansham Dharbaji Gore,
age: 51 years, Occ: service
as Associate Professor in
Shri Sant Gadge Maharaj College,
Loha, Tal: Loha, District Nanded.

04 Dr.Shivaji Mansing Gore,
age: 47 years, Occ: service
as Associate Professor in
Shri Sant Gadge Maharaj College,
Loha, Tal: Loha, District Nanded.

Petitioners

Versus

01 The State of Maharashtra,
through its Secretary,
Higher and Technical Education,
Mantralaya, Mumbai-32.

02 The Director of Higher Education,
Maharashtra State, Central
Building, Pune-410001.

03 The Joint Director,
Higher Education,
Nanded Region, Nanded.

04 The Secretary,
University Grants Commission,
Bahadur Shah Jafar Marg,
New Delhi – 110 002.

05 The Registrar,
Swami Ramanand Tirth
Marathwada University,
Nanded.

06 The Principal,
Shri Sant Gadge Maharaj College,
Loha, Tal: Kandhar, District Nanded.

Respondents

Mr.V.D.Gunale, advocate for petitioners.
Mr.S.B.Pulkundwar, A.G.P. for Respondents No.1 to 3.
Mr.S.B.Deshpande, Assistant Solicitor General for Respondent No.4.
Mr.V.P.Latange, advocate for Respondent No.5.
Respondent No.6 served.

**CORAM : R.M.BORDE &
SANGITRAO S. PATIL, JJ.
DATE : 14th December, 2016**

ORAL JUDGMENT (Per R.M.Borde, J.):

Heard learned counsel for respective parties.

Rule. Rule made returnable forthwith and heard finally by consent of learned Counsel for respective parties.

2 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 Professors with effect from the date of revision of pay/salary as per Government Resolution dated 12.08.2009.

3 The facts, giving rise to the instant petitions, 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, 2014(1) ALL MR 697.**

4 For the reasons recorded while disposing of the aforesaid matter, presented by Sudamrao Aher and others, instant writ petitions also deserve to be allowed and same are accordingly allowed.

5 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 re-fixed and arrears be paid within a period of six months.

7 Rule is made absolute accordingly. There shall be no order as to costs.

Pending Civil Applications, if any, do not survive and stand disposed of.

(SANGITRAO S. PATIL)
JUDGE

adb/wp933616

(R.M.BORDE)
JUDGE