

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

**WRIT PETITION NO. 7995 OF 2016**

1. Arun s/o Babulal Nikumbh  
age 54 years, occ. Service  
r/o c/o Shri Machhindra Sonawane,  
Room No. 2, Revenew Colony,  
Opp. Market yard  
Kopargaon 423601  
Dist. Ahmednagar.
2. Bhausahab s/o Bhikaji Nighot  
age 56 years, occ. Service  
r/o Plot No. 64, Annapurna Nagar  
Station Road Kopargaon 423601  
Dist. Ahmednagar

**.. PETITIONER**

**VERSUS**

1. The State of Maharashtra  
Through its Principal Secretary  
Higher & Technical Education Department,  
Mantralaya Annex, Mumbai 431 032
2. The Director of Higher Education  
Maharashtra State,  
Central Building, Pune Dist. Pune.
3. The Joint Director of Higher Education  
Department of Higher Education,  
17, Dr. Ambedkar Road, Pune  
Dist. Pune.
4. S.S.G.M. College, Kopargaon,  
Yeola Naka,  
Nagar-Manmad Highway,  
Kopargaon 423601  
Dist. Ahmednagar  
Through its Principal

**.. RESPONDENTS**

Mr. P.A. Pisal, advocate for petitioner.  
Mr. A.S. Shinde, AGP for the State.  
Mr. V.D. Sapkal, advocate for respondent no. 4.

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**CORAM : R.M. BORDE &  
SANGITRAO S. PATIL, JJ.**

**DATE : 17<sup>th</sup> NOVEMBER, 2016.**

**ORAL JUDGMENT : ( PER R. M. BORDE, J. )**

1. Heard 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 21<sup>st</sup> 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 6<sup>th</sup> 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.

**( SANGITRAO S. PATIL )**  
**JUDGE**

**( R. M. BORDE )**  
**JUDGE**

dyb