

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

WRIT PETITION NO.11640 OF 2016

1. Ramdas Sitaram Wanare,
Age:54 years, Occ. Service,
r/o. Plot No.76, Godavari Niwas,
Auditors Society, Harsool,
Aurangabad
 2. Kalyan Bhausahab Laghane,
Age : 58 years, Occ. Service,
r/o. Plot No.105,
Vakratund Complex, Tilak Nagar,
Garkheda, Aurangabad
 3. Anil Shripatrao Bhuktar,
Age : 50 years, Occ. Service,
R/o. Plot No.3, Avanti Apartment,
Amit Nagar, Nandanvan Colony,
Chavni, Aurangabad
 4. Dadarao Ramnath Shengule,
Age : 52 years, Occ. Service,
R/o. 30, Sant Eknath Housing
Society, Opp. Akashwani,
Aurangabad
- ..Petitioners

Vs.

1. The State of Maharashtra,
Through its Principal Secretary,
Higher and Technical Education
Department, Mantralaya,
Mumbai – 32
2. The Director of Higher Education,
M.S., Central Building, Pune-01

3. The Joint Director of Higher Education, Aurangabad Region, Aurangabad
4. Dr. Babasaheb Ambedkar Marathwada, University, Aurangabad, Through its Registrar,
5. Vivekanand Arts, Sardar Dalipsing Commerce and Science College, Aurangabad Through its Principal ..Respondents

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Mr.A.C.Deshpande, Advocate for petitioners

Mr.K.D.Mundhe, AGP for respondent nos.1 to 3

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**CORAM : R.M. BORDE AND
SANGITRAO S. PATIL, JJ.
DATE : NOVEMBER 24, 2016**

ORAL JUDGMENT :

At the request of the learned Counsel for the petitioners, names of respondent nos.4 and 5 stand deleted.

2. Heard the learned counsel for the parties.

3. Rule. Rule made returnable forthwith. The petition is heard finally by the consent of the learned counsel for the respective parties.

4. 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.

5. 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 (W.P. 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]**.

6. 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.

7. The respondents shall take necessary action to step up the pay of the petitioners so as to bring it at par with the 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 refixed and arrears be paid within a period of six months.

8. Rule is made absolute accordingly.

9. There shall be no order as to costs.

[SANGITRAO S. PATIL, J.]

[R.M. BORDE, J.]