

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

WRIT PETITION NO. 11683 OF 2016

1. Shantaram s/o Rama Mahajan
age 61 years, occ. retired
r/o 49, 'Prashantam', Suparibag
Jamner, Dist. Jalgaon 424 206
2. Yadav s/o Krishna Chaudhari
Age 55 years, occ. service
r/o Muktanand Colony,
Near Kasturi nagar
Bhusawal
Dist. Jalgaon 425 201.

.. PETITIONERS

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
1st Floor, Maharashtra Jeevan Pradhikaran Bldg.
Jalgaon, Dist. Jalgaon
4. Bhusawal Arts, Science and P.O. Nahata Commerce
College, Bhusawal } Deleted vide Court's order
Dist. Jalgaon } dated 1st December, 2016.
Through its Principal

.. RESPONDENTS

Mr. P.A. Pisal, advocate for petitioner.
Mr. S.J. Salgare, AGP for the State.

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**CORAM : R.M. BORDE &
SANGITRAO S. PATIL, JJ.
DATE : 1st DECEMBER, 2016.**

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

1. Heard learned counsel for the parties.
2. Leave to delete name of respondent no. 4 at the request of learned counsel for petitioners.
3. Rule. Rule made returnable forthwith and the petition is heard for final disposal by the consent of 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 (WP No. 11129/2015) and in the case of Sudamrao Kesharao 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 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.

8. Rule is made absolute accordingly.

9. There shall be no order as to costs.

(SANGITRAO S. PATIL)
JUDGE

(R. M. BORDE)
JUDGE

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