

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CIVIL APPELLATE JURISDICTION**  
**WRIT PETITION STAMP NO. 5528 OF 2015**

Samadhan Jayawant Gangurde and ors. ....Petitioners  
versus

The State of Maharashtra through the  
Principal Secretary to Government of Maharashtra,  
Department of Higher Education, Mantralaya,  
Mumbai and ors. ...Respondents

Mr. Yashodeep Deshmukh i/b. Mr. Ramdas A. Shelke, advocate for the  
petitioners.

Mr. P. P. Kakde, AGP for the State.

**CORAM : RANJIT MORE &  
ANUJA PRABHUDESSAI, JJ.**

**DATE : 8<sup>th</sup> AUGUST, 2016.**

**P. C. :**

1. The issue involved in these writ petition and the issue involved in **Writ Petition No.2082 of 2015 & Group** is one and the same. The said group of writ petitions is disposed of by the Division Bench of this Court by a detailed judgment and order dated **23<sup>rd</sup> December 2015**. In paragraph 89 of the said judgment, the Division Bench has made it clear that the said judgment will be applicable to all the similarly placed writ petitioners. Learned AGP does not dispute that the petitioners in the instant petition are placed similarly with the petitioners in the said decided group of writ petitions. In view of this, we dispose of the instant writ petition in terms of the operative order made in the said decided group of writ petitions.

2. Hence, instant writ petition is disposed of in following terms :

1. It is declared that the teachers/ professors/ lecturers/ candidates who have not acquired NET/SET/TEST qualification and who are appointed during 24.10.1992 to 3.4.2000 (except 19.9.1991 to 23.10.1992) (see Government Resolution dated 27.06.2013) are not entitled for CAS (Career Advancement Scheme) and other related benefits except the benefits including the pay scale and increments and other related benefits, as announced by the State, but on conditions so reproduced.

2. Upon acquiring NET/SET qualification, the teachers shall be entitled for the CAS and other related benefits in accordance with law from the date of acquisition of qualification of NET/SET as announced.

3. The challenge to the validity of the impugned State Government Resolution dated 27<sup>th</sup> June 2013 is rejected. The action of the State of Maharashtra is upheld. The State/Universities/ Colleges to take steps accordingly.

**(ANUJA PRABHUDESSAI, J.)**

**[RANJIT MORE, J.]**