

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10612 OF 2015

Appasaheb Bajirao Bondar. ..Petitioner.

Versus

State of Maharashtra & Others. ..Respondents.

AND

WRIT PETITION NO. 10946 OF 2015

Shaikh Ateequ Ahmed Abdul Wasey ..Petitioner.

Versus

State of Maharashtra & Others. ..Respondents.

AND

WRIT PETITION NO. 9619 OF 2014

Hanmant Balasaheb Patil. ..Petitioner.

Versus

State of Maharashtra & Others. ..Respondents.

AND

WRIT PETITION [st.] NO. 27637 OF 2014

Chandrakant Ramdas Patil & Ors. ..Petitioners.

Versus

State of Maharashtra & Others. ..Respondents.

AND

WRIT PETITION [st.] NO. 28264 OF 2014

Shinde Dnyanoba Gorakh. ..Petitioner.

Versus

State of Maharashtra & Others. ..Respondents.

Yashodeep Deshmukh i/b Sharyu Shinde & Ramdas Shelke for Petitioners.
Mr. V. N. Sagare, AGP for the State.

Coram : Ranjit More &

Dr.(Smt) S. S. Phansalkar-Joshi, JJ.

Date : **March 11, 2016.**

P. C. :

1. The issue involved in these writ petitions 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 23rd 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 Counsel appearing for the Petitioners do not dispute that the Petitioners in the instant petitions are placed similarly with the Petitioners in the said decided group of writ petitions. In view of this, we dispose of the instant writ petitions in terms of the operative order made in the said decided group of writ petitions.

2. Hence, instant writ petitions are 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 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 June 2013 is rejected. The action of the State of Maharashtra is upheld. The State/ Universities/ Colleges to take steps accordingly.

[Dr. (Smt.) S. S. Phansalkar-Joshi, J.]

[RANJIT MORE, J.]