

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 2016 OF 2016

Sudam Kothiram Khandait

-VS-

The State of Mah. through its Secretary, Deptt. of Higher and Technical Education and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr.B.G.Kulkarni, counsel for the petitioners.
Mr.Ambarish Joshi, AGP for the respondents.

CORAM : SMT. VASANTI A. NAIK &
MRS. SWAPNA JOSHI, JJ.

DATE : 04.07.2016.

By this writ petition, the petitioners seek a direction against the respondent Nos.1 to 4 to grant upgradation to the petitioners as Full Time Librarian from 01/07/1994.

Shri B. G. Kulkarni, the learned counsel for the petitioners, states that the issue involved in this case was also involved in Writ Petition No.6630 of 2013 and others and Writ Petition No.1154 of 2015 and this Court has, by the orders, dated 28/01/2015 and 18/03/2015 respectively, partly allowed the writ petitions and directed the respondents to upgrade the petitioners therein as Full Time Librarians as on the dates, mentioned in the charts in those petitions. It is stated that a similar order would be necessary in this writ petition also, on parity, as the strength of students in the school, where the petitioner is working as Part Time Librarian, is more than one thousand.

Shri Ambarish Joshi, the learned Assistant Government Pleader appearing on behalf of the respondents, fairly admits on instructions from the respondent No.4 that the strength of students in the school in which the petitioner is working as Part Time Librarian is more than one thousand and the issue involved in this case is similar to the issue involved in other cases that were decided by the orders, dated 28/01/2015 and 18/03/2015, as referred to herein above.

Hence, for the reasons recorded in the orders, dated 28/01/2015 and 18/03/2015 in Writ Petition No.6630 of 2013 and others and Writ Petition No.1154 of 2015 respectively, we allow the writ petition. We hereby hold that the petitioner would be entitled to upgradation as Full Time Librarian from 01/07/1994. On parity, we direct the respondents to consider that the benefits of upgradation would available to the petitioner only notionally and actual monetary benefits should be paid from 01/07/2016.

Order accordingly. No costs.

JUDGE

JUDGE