

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

WRIT PETITION NO. 3567 OF 2016

Dr. Purushottam s/o Balaji Yenurkar and another

-vs-

The State of Maharashtra, thr. its Secretary, Deptt of Higher & 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. A.M.Sudame, counsel for the petitioners.

Mr. A.A.Madiwale, AGP for the respondent Nos.1 to 3.

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

DATE : 05.08.2016.

By this writ petition the petitioners seek a direction against the respondent Nos.1 to 3 to step up the basic pay band of the petitioners and to revise the pay fixation accordingly within a time frame.

It is stated on behalf of the petitioners that the issue involved in this case stands answered in favour of the petitioners by the judgment, dated 21.11.2013 in Writ Petition No.10283 of 2012 (Sudamrao Keshawrao Aher and others v. The State of Maharashtra and others). It is stated that the said judgment stands confirmed by the Hon'ble Supreme Court, as the Special Leave Petition filed against the said judgment is dismissed.

Shri A.A.Madiwale, the learned Assistant Government Pleader appearing on behalf of the respondent Nos.1 to 3, does not dispute the factual statements made on behalf of the petitioners.

In view of the aforesaid and for the reasons recorded in the judgment, dated 21.11.2013 in Writ Petition No.10283 of 2012, we allow this writ petition and direct the respondent Nos.1 to 3 to take necessary action to step up the pay band of the petitioners bringing it on par with the juniors, so that there shall not be any discrimination only because the junior teachers have acquired Ph.D.Degree, during the

course of the 5th Pay Commission Recommendations. We direct the respondent Nos.1 to 3 to complete the exercise within three months and pay the arrears to the petitioners at the earliest. Order accordingly. No costs.

JUDGE

JUDGE

KHUNTE

C E R T I F I C A T E

I certify that this Order uploaded is a true and correct copy of original signed Order.

Uploaded by : G.S.Khunte,
P.A.to Hon'ble Judge

Uploaded on : 06/08/2016