

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

WRIT PETITION NO.4360 OF 2015

Dr. [Mrs.] Varsha Bipin-Chandra Mankar

vs.

*State of Maharashtra, through its Secretary, Dept. of Higher & Technical Education, Mantralaya,
Mumbai and others*

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

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Court's or Judge's Orders

*Shri B.G. Kulkarni, Advocate for the petitioner.
Shri Ambarish Joshi, A.G.P. for respondent nos.1 to 3.
Shri P.B. Patil, Advocate for respondent no.4.
Shri Arun Agrawal, Advocate for respondent no.5.*

**CORAM : SMT. VASANTI A. NAIK AND
A.S. CHANDURKAR, JJ.**

DATE : FEBRUARY 23, 2016

Heard.

By this writ petition, the petitioner seeks the benefits under the Career Advancement Scheme by granting placements in Senior Scale and Selection Grade.

Shri Ambarish Joshi, the learned Assistant Government Pleader appearing on behalf of the Joint Director of Higher Education states that the issue whether the teachers would be entitled to the benefits of the Career Advancement Scheme from the date of their appointment or from the date of acquiring the said qualifications was considered by the Division Bench of this Court at the Principal Seat in Writ Petition No.2082/2013 and others and by the judgment dated 23/12/2015, it was held that the Teachers/Professors/Lecturers

that had not cleared the NET/SET/Ph.D. qualification would not be entitled for the benefits of the Career Advancement Scheme and other related benefits, until they acquire the said qualification. It is stated that it is held by the Division Bench at the Principal Seat that the Lecturers/Teachers/Professors would be entitled to the benefits of the Career Advancement Scheme from the date of acquiring the qualification of NET/SET/Ph.D. and not from the date of their appointment. This judgment has been subsequently followed by the Division Bench at Nagpur in Writ Petition No.1072/2015 and connected matters decided on 22/02/2016. It is therefore stated that in view of the aforesaid, the writ petition is liable to be dismissed.

In Writ Petition No.1072/2015 after following the judgment dated 23/12/2015, it was held that Teachers/Lecturers/Professors would not be entitled to the benefits of the Career Advancement Scheme from the date of their appointment, if they do not possess NET/SET/Ph.D. qualifications and they would be entitled to the benefits only from the date of acquiring the qualifications.

Hence, for the reasons recorded in the judgment dated 23/12/2015 in Writ Petition No.2082/2013 and others, we dismiss the writ petition with no order as to costs.

JUDGE

JUDGE