

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

Writ Petition No. 2111 of 2006

- 1) Vishwas s/o Krishna Palimkar,
Age 38 years,
Occupation : Service as Technical
Officer in the Office of Divisional
Joint Director of Agriculture,
Aurangabad,
R/o 85, Samarth Nagar, Aurangabad.
- 2) Baban s/o Bhaorao Dhalgade,
Age 41 years,
Occupation: Service as Taluka
Agriculture Officer, Badnapur,
C/o The Office of Taluka
Agriculture Officer, Badnapur,
District Jalna.
- 3) Vishnu s/o Narayanrao Kokate,
Age 38 years,
Occupation: As above at
Khultabad, C/o The Office of
Taluka Agriculture Officer,
Khultabad, Dist. Aurangabad.
- 4) Ankush s/o Dashrath Barde,
Age 37 years,
Occupation Service as
Taluka Agriculture Officer,
Ambad, C/o The Office of Taluka
Agriculture Officer, Ambad,
District Jalna.

.. Petitioners.

Versus

- 1) The State of Maharashtra.
- 2) The Secretary,
Department of Agriculture
M.S., Mantralaya, Mumbai - 32.

- 3) The Secretary,
Department of Finance,
MS, Mantralaya, Mumbai - 32. .. **Respondents.**

Shri. R.S. Deshmukh, Advocate, for petitioners.

Smt. S.S. Raut, Assistant Government Pleader, for respondents.

**Coram: T.V. NALAWADE &
SANGITRAO S PATIL, JJ.**

Date: 22 June 2017.

ORAL JUDGMENT (Per T.V. Nalawade, J.)

1) Heard learned counsel for the petitioners. Seen the record produced by him. It is the grievance of the petitioners that the cadre of Agriculture Officer/Circle Agriculture Officer is from Non Gazetted Class II but the cadre of the petitioners - Taluka Agriculture Officer is Gazetted Officer Class II and as per recruitment rules, the cadre of the petitioners was treated as higher and promotional cadre. He submitted that in the past, the petitioners were getting higher pay scale as per the Fourth Pay Commission report viz. Rs.2000-3500 and the cadre of Agriculture Officer was getting Rs.1640-2900.

After Fifth Pay Commission report the pay scale of Rs.6500-10500 came go be given to both the cadres and the persons who are of lower cadre are getting the scale equal to the petitioners and that is not consistent with the recruitment rules. Learned counsel for the petitioners submitted that this aspect needs to be considered by the Government.

2) After the Fifth Pay Commission Report, there was Sixth Pay Commission Report and the learned counsel for the petitioners submitted that at this time also the same policy was adopted by the Government. As it is a policy decision it is open to the petitioners to go to the Government with representation. This Court is not expected at this stage to give any direction to the State Government. The writ petition is disposed of with the aforesaid observations. Rule is discharged.

Sd/-
(SANGITRAO S PATIL, J.)

Sd/-
(T.V. NALAWADE, J.)

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