

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8386 OF 2016

1. Shaikh Rahim Fatteh Ahmed
age 71 years, occ. Pensioner
at post Wazar
Tq. Degloor, Dist. Nanded
2. Narayan Poma Pawar
through LR
Ruklabai Narayan Pawar
age 60 years,
at Shilvani Border Tanda
Tq. Degloor, Dist. Nanded
3. Rajesh Kerba Mane
age 36 years, occ. Naik
r/o as above.

Petitioners

Versus

1. The State of Maharashtra
Through its Secretary
School and Education Department,
Mantralaya, Mumbai
2. The Assistant commissioner
Social Welfare Department,
Tq. & Dist. Nanded
3. The Regional Commissioner
Social Welfare Department,
Tq. & Dist. Latur
4. The Head Master
Scondary Ashram School
At Shilwani Border Tanda
Tq. Degloor
Dist. Nanded
5. The Head Master
Prathmik Ashram School

At Shilwani Border Tanda
Tq. Degloor
Dist. Nanded

6. The President
Banjara Shiksan Prasarak Mandal
at Shilwani Border Tanda
Tq. Degloor, Dist. Nanded

Respondents

Mr. S.R. Kolhare, advocate for the petitioners.
Mr. A.R. Borulkar, A.G.P. for Respondents 1 to 3.

**CORAM : R.M.BORDE &
P. R. BORA, JJ.
DATE : 20th MARCH, 2017**

ORAL JUDGMENT : (PER R. M. BORDE, J.)

1. Rule. Rule made returnable forthwith.
2. Heard finally by consent of learned counsel for the respective parties.
3. The issue raised in the instant petition is no more *res integra* in view of decision rendered in the matter of Prashant s/o Anandrao Borse & others Vs. The State of Maharashtra and others reported in 2015(7) All M.R. 213.
4. The facts giving rise to the instant petition are also similar to the facts recorded in the decided matter. For the reasons recorded while disposing of the petition presented by Prashant Borse (supra), instant petition also deserves to be allowed.
5. Respondent-State is directed to extend benefits of higher pay

scale to the petitioner on completion of 12 years of qualifying service. Financial benefits arising from the aforesaid directions be extended to the petitioner, as expeditiously as possible, preferably within a period of 9 months from the date of this order. Rule made absolute in above terms. There shall be no order as to costs.

(P. R. BORA)
JUDGE

(R.M.BORDE)
JUDGE

dyb