

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.3532 OF 2014

Sou. Ragini Rajiv Kulkarni

... Petitioner

V/s.

State of Maharashtra, through
Principal Secretary, Secondary and
Higher Secondary Department,
Mantralaya, Mumbai and ors.

... Respondents

Mr.Ramkrushana Yedave h/f Mr.Vijay Killedar, Advocate for the
Petitioner.

Mr.N.C.Walimbe, AGP for Respondent Nos. 1 to 4

Shri Gopal S.Tungar, Deputy Secretary, School Education
Department, Mantralaya, Mumbai present.

**CORAM : ANOOP V. MOHTA AND
RAVINDRA V. GHUGE, JJ.
DATE : 10 APRIL 2017.**

ORDER :

1. By this Petition, the Petitioner has put-forth a substantive
prayer under paragraph 10(b) which reads as under:

“This Hon'ble Court be pleased to issue writ of
mandamus or any other appropriate writ in the nature
of writ of mandamus and be pleased thereby to direct
the Respondent Nos. 1 to 5 to grant the revised pay
scale to the Petitioner, which is payable to the
Librarian working in the Secondary School and
holding Graduate qualification of Bachelor in Library
and Information Science with effect from 1.12.1994
alongwith interest on the amount of arrears as may
be fixed by this Hon'ble Court.”

2. The contention of the Petitioner is that he is covered by the Judgment of this Court dated 28th April, 2011, delivered in the Writ Petition No. 177 of 2011 alongwith a group of identical Writ Petitions and would therefore, be entitled to the relief prayed in prayer clause 10(b).

3. The learned AGP has tendered across the bar a copy of a Government Resolution dated 14th June, 2016, which is taken on record and marked as Ex.X for identification.

4. He further submits on instructions from Shri Gopal S.Tungar, Deputy Secretary, School Education Department, Mantralaya, Mumbai that by virtue of the Government Resolution dated 14th June, 2016, Ex. X, the Petitioner's case is covered and he would be entitled to the reliefs prayed for in prayer clause 10(b).

5. The learned AGP further submits that paragraph No.6 of Ex.X indicates that the judgment of this Court has been sustained by the Hon'ble Supreme Court.

6. Considering the above, this Petition is disposed of in terms of prayer clause 10(b). Needless to state, the Respondent State shall expeditiously process the case of the Petitioner for the benefits to which he is entitled to and preferably within a period of 10 weeks from today.

(RAVINDRA V. GHUGE,J.)

(ANOOP V.MOHTA,J.)