

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6210 OF 2017

Siddharth Pandit Baviskar

...Petitioner

vs.

The State of Maharashtra and Others

...Respondents

Mr. P.J. Thorat, for the Petitioner

Mr. P.P. More, AGP for the Respondents-State.

**CORAM : SHANTANU S. KEMKAR &
M. S. SONAK, JJ.**

DATE : JULY 04, 2017

P.C.:

. Not on board. Upon mentioning taken on board.

2. By filing this Petition under Article 226 of the
Constitution of India, the Petitioner is seeking following reliefs.

(a) Be pleased to direct the Respondent Nos. 1 to 4 authorities to fix the pay-scales of the Petitioner equally to the instructor working at Government institute of printing technology Mumbai i.e. 5500-9000/- as per fifth pay and 9300-34800/- grade pay 4300/- as per sixth pay, from the date of his promotion dated 18th January, 2005 as a instructor.

(b) By pleased to direct the Respondent Nos. 1 to 4 to release the arrears as a pay-scales, Rs. 5500-9000/- as per fifth pay, and 9300-34800/- Grade pay 4300/- as per sixth pay, in favour of the Petitioner.

(c) Pending hearing and till final disposal of this writ petition, Respondents be directed to grant the pay-scales of Rs. 9300-34800/- Grade pay 4300/- as per sixth pay, to the Petitioner.

(d) Any other suitable and equitable relief may kindly be granted in favour of the Petitioner in the interest of justice.

3. According to the Petitioner, the question involved in this Petition is squarely covered by the order passed by the Division Bench of this Court at Aurangabad in the case of **The State of Maharashtra and Ors. vs. Ravindra Hanmantrao Kulkarni and Ors.** passed in **Writ Petition No. 1017 of 2016 dated 29th June, 2016.**

4. The learned counsel for the Petitioner submits that a letter has been sent by Respondent No. 4 – Jt. Director of Technical Education, Pune to Respondent No. 3 – Director of Technical Education, Pune seeking guidance in regard to the Petitioner's claim, but no decision on it has been taken as yet. In the circumstances, a prayer has been made to dispose of this Petition by directing Respondent No. 3 to decide the Petitioner's claim keeping in view the law laid down in the case of **Ravindra Kulkarni** (supra).

5. Having regard to the aforesaid, we are inclined to

dispose of this Petition by directing Respondent No. 3 to examine the Petitioner's claim and in case the same is covered by the aforesaid order passed by this Court in the case of **Ravindra Kulkarni** (supra), the monetary benefits as may be found payable be extended in favour of the Petitioner.

6. Let this be done within three months from the date of receipt of copy of this order.

7. With the aforesaid direction, the Petition is disposed of.

(M. S. SONAK, J.)

(SHANTANU S. KEMKAR, J.)