

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
 WRIT PETITION NO. 149 OF 2000

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Agapito H.Fernandes	Petitioner
V/S	
University Of Bombay & Ors.	Respondents

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Mr.V.B.Tiwari with Mr.A.H.Fernandes for the Petitioner.
 Mr.U.S.Upadhyay, AGP for the State.
 Mr.Rui Rodrigues for the Respondent No.1.
 Mr.A.G.Kothari, Amicus Curiae present.

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**CORAM : A.A. SAYED &
M.S.KARNIK,JJ.**

DATED : 11 JULY 2017

P.C.:

Learned Counsel for the Petitioner and the learned Counsel for the Respondent No.1 with the assistance of learned Amicus Curiae have filed draft Minutes of Order, which is taken on record and marked "X". Learned Counsel state that order in terms of the draft Minutes of order be passed. Hence, the following order:

ORDER

- (i) The Petitioner shall be paid Pay Scale as prescribed by UGC/Law for Part Time Lecturers of Law Colleges from 01-01-1996 till the Petitioner continued to be in employment of the College.
- (ii) The Respondent-Law College shall within a period of four weeks from the date of this order forward to the Joint Director of Higher Education

a proposal containing the Approval papers of the Petitioner alongwith fixation of salary as per UGC Pay Scales/Law as applicable to post of Part Time Law College Lecturers and Statement of calculation of arrears of salary.

(iii) In the event the Respondent-College fails to forward the requisite proposal as provided in para (ii) hereinabove, the Respondent-College shall be liable to pay the Petitioner arrears of salary with effect from 01-01-1996 till he continued to be in employment of the College.

(iv) In the event the Respondent College complies with the directions as provided in para (ii) hereinabove, the Joint Director of Higher Education shall pay to the Petitioner arrears of salary as prescribed by UGC/Law after deducting the amounts already paid to the Petitioner within six weeks after pay fixation and calculation of pay arrears.

(v) The above order has been passed in the peculiar facts of the case and shall not be cited as a precedent.

2. The Petition is disposed of. Rule made absolute in the aforesaid terms.

(M.S.KARNIK, J.)

(A.A.SAYED, J.)