

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION LOD.NO.2869 OF 2017

Dharmpal B. Marchande .. Petitioner
Versus
Secretary, State of Maharashtra
Education and Ors. .. Respondents

WITH
WRIT PETITION ST.NO.3717 OF 2017

Mrs. Nilima Sadashiv Pawar .. Petitioner
Versus
Secretary, State of Maharashtra
Education and Ors. .. Respondents

WITH
WRIT PETITION ST.NO.3725 OF 2017

Pallavi Mohan Angolkar .. Petitioner
Versus
Secretary, State of Maharashtra
Education and Ors. .. Respondents

Mr. N.V.Bandivadekar with Sunil Dighe for petitioners in all petitions
Mr. Kedar Dighe, AGP for State – respondent Nos. 1 to 5 and 8 in
W.P.Lod.3725 of 2017
Ms. Jyoti Chavan AGP for State in respondent Nos. 1 to 3 and 7 in
W.P.Lod.2869 of 2017 and for respondent Nos. 1 to 5 and 8 in
W.P.Lod. 3717 of 2017.

CORAM : B.R. GAVAI &
SMT. BHARATI H. DANGRE JJ

DATE : 16th April 2018

OPERATIVE PART:

For the reasons recorded separately, these petitions are

allowed. Rule is made absolute by quashing and setting aside the orders dated 10th August 2017 passed by the Auditor Cum Accounts Officer, thereby holding that the petitioners are not entitled to the benefit of revised fixation of pay scales as per VI pay commission, in view of Government Resolutions dated 3rd april 2003 and 13th August 2009.

2] The re-fixation of salaries/ pension payable to the petitioners shall be made within a period of six weeks from today. If any recoveries are made from the petitioners on the basis of the order dated 10th August 2017, such recovered amounts would be paid back to the petitioners within three months. If any of the petitioners are entitled for any arrears on the basis of this order, the same shall be paid within six months from today.

2] At this stage, Mr. Dighe, learned AGP prays for stay of the order passed by this court for a period of four weeks from today. Taking into consideration the view that we have taken, the prayer for stay is rejected.

(SMT.BHARATI H. DANGRE, J)

(B.R.GAVAI, J.)