

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

162 WRIT PETITION NO.842 OF 2019

GULABRAO UMRAO PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Dhakne Vijay A.
AGP for Respondents : Mr. A.R. Kale.

**CORAM : S. V. GANGAPURWALA AND
MANGESH S. PATIL, JJ.**

DATE : 13/08/2019

PER COURT :

1. The petitioner is working as a Hostel Superintendent. The petitioner is appointed on 05.07.1999. The petitioner possesses qualification of B.A.B.PEd. According to learned counsel since the date of appointment the petitioner is required to be considered and treated as a Trained Hostel Superintendent. The relaxation is given as per the Government Resolution dated 03.06.2008 and those Hostel Superintendents not possessing B.Ed. and possessing only H.C.C. are considered to be Trained Hostel Superintendent. The petitioner is paid the salary of a Trained Hostel Superintendent only from 01.06.2008. According to learned counsel the petitioner is entitled to the said pay scale since the initial date of appointment.

2. Mr. Kale, learned A.G.P submits that the petitioner was appointed on temporary basis prior to 06.12.2005. He is regularized on 06.12.2005. As such, his case cannot be considered from the initial date of appointment.

3. We have considered the submissions. The order dated 27.04.2012 recognizes the petitioner in the pay-scale of Trained Hostel Superintendent from 06.12.2005 but is not paid the difference up to 01.06.2008.

4. The petitioner would be entitled for the difference of the pay scale from 06.12.2005 to 01.06.2008 also.

5. In the light of above, the respondents shall pay the difference/arrears of the pay of Trained Hostel Superintendent from 06.12.2005 to 31.05.2008. The same shall be paid preferably within a period of six months from today.

6. The writ petition is disposed of. No costs.

(MANGESH S. PATIL, J.)

(S. V. GANGAPURWALA, J.)

mkd