

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

161 WRIT PETITION NO.841 OF 2019

SANDIP SHANKARRAO PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Dhakne Vijay A.
AGP for Respondents/State : Mr. S.G. Karlekar.

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

DATE : 13/08/2019

PER COURT :

1. Mr. Dhakne, learned counsel for petitioner submits that for a period of 03.06.2000 to 06.07.2003 the petitioner was working as a Hostel Superintendent. The petitioner had the qualification of H.S.C. Thereafter, the petitioner is promoted as a Trained Graduate Teacher. The petitioner is entitled for the pay scale of a Trained Hostel Superintendent for the period the petitioner has worked as a Hostel Superintendent. The petitioner was paid pay scale of an Untrained Hostel Superintendent, the same is illegal.

2. We have heard the learned A.G.P.

3. The issue is no longer res-integra. The person possessing H.S.C. qualification has to be treated as a Trained Hostel

Superintendent as per the Government Resolution dated 05.02.2000 and the Government Resolution dated 03.06.2008.

4. As the petitioner has approached this Court after a long delay we are not inclined to grant actual benefit to the petitioner, however, the petitioner's tenure as a Hostel Superintendent shall be considered as a Trained Hostel Superintendent and for all further purposes the petitioner shall be considered for the period the petitioner has worked as a Hostel Superintendent on the pay scale of a Trained Hostel Superintendent, notionally.

4. The writ petition is disposed of no costs.

(MANGESH S. PATIL, J.)

(S. V. GANGAPURWALA, J.)

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