

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3546 OF 2019

RAJENDRA BHALCHANDRA SISODE
VERSUS
JOINT DIRECTOR OF EDUCATION,
HIGHER EDUCATION, JALGAON AND ANOTHER

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Advocate for Petitioners : Mr. Sangeet L. V.
Addl.GP for Respondents : Mrs. Deshpande G. L.

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CORAM: S. V. GANGAPURWALA &
AVINASH G. GHAROTE, JJ.

DATE: 04th NOVEMBER, 2019

PER COURT:

1. We have heard Mr. Sangeet, learned counsel for the petitioner and Mrs. Deshpande, learned Additional Government Pleader for the respondents.

2. The petitioner seeks grant of senior scale as well as selection grade. It appears that the petitioner was reinstated in service in the year – 2010, and this Court granted petitioner continuity in service in Writ Petition No. 3536 of 1998. Thereafter, in Writ Petition No. 4738 of 2016, filed by the petitioner, it is also held that the

petitioner is exempted from passing the NET / SET examination.

3. The moot question is about the grant of selection grade and senior scale.

4. It is not disputed that the senior scale has to be granted upon the petitioner passing one refresher course and one orientation programme.

5. It is made clear that the services of the petitioner shall be considered continuous since the year 1992 as per the orders passed by this court in the earlier writ petition. The length of service cannot be a subject matter of dispute now in view of the order passed by this Court. For all practical purposes, the service of the petitioner shall be considered continuous from the year 1992.

6. The petitioner shall be granted the senior scale, and thereafter selection grade upon the petitioner satisfying the other conditions of passing the orientation / refresher course. While doing so, the length of the service of the

petitioner shall be considered from the year 1992. It is also not disputed that the petitioner has passed the orientation / refresher course in the year 2012 and 2015 respectively. The *affidavit in reply* further states that the committee has recommended grant of senior scale to the petitioner from 16.03.2015. The said benefit shall be accorded to the petitioner expeditiously and preferably within a period of six (06) months from today. The further benefits, as may be admissible, shall also be accorded to the petitioner.

7. Writ Petition accordingly stands disposed off. No costs.

[AVINASH G. GHAROTE, J.] [S. V. GANGAPURWALA, J.]

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