

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

25 WRIT PETITION NO.3377 OF 2018

RAJEEV VASANTRAO BILWANIKAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Irale Patil D.r.
AGP for Respondents State: Mr. K. B. Jadhavar

**CORAM : S. V. GANGAPURWALA &
A. M. DHAVAL, JJ.**

DATE : 25th February, 2019

PER COURT :

1. Learned counsel for the petitioners has produced copy of the judgment of this Court (Principal Seat) in Writ Petition No.2605/2017 dated 06.02.2019. Under the said judgment, the Court has set aside the Circular dated 13.06.2016. Learned AGP, after going through the said judgment, accepts that the Circular dated 13.06.2016 stands set aside.

2. In view of the above, we follow the same course. The impugned Circular dated 13.06.2016 is set aside for the reasons recorded in the judgment in Writ Petition No.2605/2017 dated 06.02.2019.

Necessary consequences shall follow with regard to the pay scale of the petitioners.

3. The respondents shall refund the benefits to the petitioners which the petitioners shall be entitled to on account of the Circular dated 13.06.2016 being set aside.

4. So far as prayer clause (B) is concerned, the the petitioners may make application to the respondents. The respondents shall consider it on its merits after considering the fact that the Circular dated 13.06.2016 is set aside. The same shall be decided within three months.

5. Writ petition is accordingly disposed of. No costs.

(A. M.DHAVAL, J.)

(S.V.GANGAPURWALA, J.)

JPC