

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

39 WRIT PETITION NO.11298 OF 2018

SANJAY DATTATRAY BANDE AND ANOTHER ..PETITIONERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. U. M. Bapshetty, Advocate for the Petitioner.
Mr. Y. G. Gujrathi, AGP for Respondents-State.
Mr. Preeti V. Diggikar, Advocate for Respondent No.5.

...

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

DATED : 14th MARCH, 2019.

PER COURT:-

1. Mr. Bapshetty, the learned counsel for petitioners and Mrs. Diggikar, the learned counsel for Zilla Parishad are *ad idem* that the present matter is governed by the order passed by this Court in Writ Petition no.3377 of 2018 dated 25.02.2019.

2. In light 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 (C) 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)
JUDGE

(S. V. GANGAPURWALA)
JUDGE