

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

WRIT PETITION NO. 12290 OF 2018

Sandip S/o Sursing Patil & Ors.

... Petitioners

Versus

The State of Maharashtra & Ors.

... Respondents

.....
Mr S. R. Barlinge, Advocate for the petitioners
Mr K. B. Jadhav, AGP for respondent/State
Mr Y. B. Bolkar, Advocate for respondent No. 4
.....

AND

WRIT PETITION NO. 12299 OF 2018

**CORAM : S. V. GANGAPURWALA &
A. M. DHAVAL, JJ.**
DATE : 21ST JANUARY, 2019

ORAL ORDER:

1. The petitioners claim to be working as Laboratory Assistants in the colleges affiliated to the North Maharashtra University. They seek directions to apply the provisions/clauses of the Government Resolution dt. 27.02.2006 and to consider their pay scale as Rs. 4000-6000/-.

2. It is submitted by Mr Barlinge, learned counsel for the petitioners that the issue is no longer *res integra*. This Court in Writ

Petition No. 243 of 2007 under order dt. 04.07.2014 had allowed the Writ Petition and held that, Laboratory Assistants working in private colleges affiliated to the North Maharashtra University are entitled for the same pay scale as applicable to the Laboratory Assistants in the University. Subsequently, Review Application No. 119 of 2016 was filed. Same was dismissed under order dt. 19.04.2017.

3. Mr Barlinge, the learned counsel submits that, the judgment and order of this Court is subsequently upheld by the Apex Court and the SLP against the said order is dismissed.

4. We have heard learned Assistant Government Pleader. The stand which is taken by the Government in the earlier writ petition is also taken herein. However, the said issue is no longer *res integra*. For the reasons recorded in the Judgment dt. 04.07.2014 in Writ Petition No. 243 of 2007 and Review Application No. 119 of 2016 decided on 19.04.2017, we allow the present writ petitions. The Government Resolution dt. 27.02.2006 is also made applicable to the present petitioners being Laboratory Assistants working in the colleges affiliated to the North Maharashtra University and also under the Director of Higher and Technical Education. The benefit of the same shall be accorded to the petitioners and arrears thereupon shall be paid to the petitioners.

5. The writ petitions are accordingly disposed of. No costs.

[A. M. DHAVALA]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

Punde