

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 14897 OF 2018
IN
WRIT PETITION NO. 9151 OF 2018

THE STATE OF MAHARASHTRA AND OTHERS
VERSUS
BHASKAR CHANDU MORE AND ANOTHER

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Advocate for Applicant : Mr. A. R. Kale
Advocate for Respondent No. 1 : Mr. P. A. Pisal

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CORAM: S. V. GANGAPURWALA &
SUNIL K. KOTWAL, JJ.

DATE: 12th APRIL, 2019

PER COURT :

1. The present civil application is filed for modification of order dated 08.08.2018.

2. Mr. Kale, the learned A.G.P. submits that Mr. Ahire P. K. with whose pay scale the original writ petitioner sought parity has worked as an Associate Professor and the original petitioner is working as a Professor and they are not in the same cadre. According to the learned counsel, the Government Resolution dated 12.08.2009 would not apply to the original writ petitioners.

3. We have heard Mr. Pisal, learned Advocate for respondent no. 1.

4. It has been held by this Court that only because a junior acquires Ph.D. qualification after 01.01.2006 he cannot get more pay scale than the senior who has acquired Ph.D. qualification prior to 01.01.2006. The Government Resolution dated 12.08.2009 is read down by this Court in number of writ petitions by speaking orders.

5. It is trite that junior cannot get more pay scale than a senior. Here, in the present case, the original writ petitioner is in a better footing. He was getting the pay scale less than that of an Associate Professor.

6. Considering the above, no ground for review is made out. Civil Application stands dismissed. No costs.

[SUNIL K. KOTWAL, J.] [S. V. GANGAPURWALA, J.]

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