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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4074 OF 2016

Mrs. Shubhangi Laxman Godse

.. Petitioner

Vs.

The State of Maharashtra and Ors.

.. Respondents

None for the petitioner.

Mr. M. M. Pabale, AGP for respondent Nos.1 to 3.

Mr. Satyajeet Rajeshirke for respondent No.4.

Mr. Vivekanand Krishnan I/by Rui Rodrigues for respondent
No.6.

Mr. Prathamesh Bhargude for respondent Nos.8 and 9.

CORAM: PRADEEP NANDRAJOG, CJ. &
N. M. JAMDAR, J.

JULY 02, 2019.

P.C.

1. Heard learned counsel for the parties.

2. It is not in dispute that salary to the teaching staff,
even by non aided institutions but which were affiliated to

recognize Universities, had to be in terms of the Office Memorandum dated 12 August 2009. Highlighting that the Office Memorandum had a retrospective operation from 1 January 2006, the salary of the teachers had to be fixed either in pay-band of ₹ 15,600-39,100 or pay-band ₹ 37,400 – 67,000 and appropriate Academic Grade Pay (AGP) varied with reference to year of service completed and educational qualifications of the teacher concerned. The norms thereof had been prescribed by University Grant Commission (UGC).

3. It is the case of the petitioner that he is entitled to receive salary in the pay-band of ₹ 15,600 – 39,100 with AGP of ₹ 6000/- with effect from 14 August 2006 and AGP of ₹ 7000/- with effect from 14 August 2011. The reply filed by the respondents is wishy-washy and only pleads that the AGP applicable would be with reference to the number of years service rendered and educational qualifications of the petitioner.

4. The real issue not being highlighted in the pleadings. We dispose of the petition directing the respondent No. 9 to convey to the petitioner the reason for granting a

particular AGP to the petitioner. The reason would be with reference to the UGC guide-lines. If the petitioner is aggrieved by the reason given, the petitioner would be entitled to challenge the same by way of fresh writ petition.

5. The direction issued to respondent No.9 shall be complied with within six weeks.

N. M. JAMDAR, J.

CHIEF JUSTICE