

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.6990 OF 2015

Mahadev Tukaram Valase and others	..Petitioners
Versus	
The State of Maharashtra and others	..Respondents

**WITH
WRIT PETITION NO.11645 OF 2015**

Nimbalkar Vinayak Sahaji and others	..Petitioners
Versus	
The State of Maharashtra and others	..Respondents

Mr. Rajaram Deshmukh, Advocate for the Petitioners in both Petitions.

Mr. M. M. Pabale, AGP for the Respondent – State in both Petitions.

**CORAM : PRADEEP NANDRAJOG, C.J. &
N. M. JAMDAR, J.**

DATE : 10th JULY, 2019

P.C.

1] Grievance of the Writ Petitioners who are Hostel Superintendents in Primary Ashram schools is premised on the fact that prior to the year 1975 Ashram schools were under the administrative control of the Education Department of the State of Maharashtra. Therefore, while prescribing pay-scales all Hostel Superintendents were placed in the same scale of pay. In the year

1975, Primary Ashram schools came under the administrative control of the Social Welfare Department. The Tribal Department wing of the Social Welfare Department started looking after the affairs of the Primary Ashram schools. When the recommendations of the 5th Pay Commission were implemented a disparity arose. Hostel Superintendents under the administrative control of the Tribal Development Department were placed in the scale of ₹ 4000-100-6000 and Hostel Superintendents in the schools which remained under the administrative control of the Education Department were placed in the pay-scale of ₹ 4500-125-7000.

2] During the pendency of the Writ Petitions, the Social Welfare Department has issued an Office Memorandum dated 12th March 2019 which removes the anomaly.

3] Thus, the Writ Petitions are disposed of directing the Tribal Welfare Department and the State of Maharashtra to fix the salary of the Petitioners in terms of the letters issued by the department. Arrears to be computed and shall be paid within six months from the date of this order.

N. M. JAMDAR, J

CHIEF JUSTICE