

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

WRIT PETITION NO.5559 OF 2012

SHIVAJI PANDHARINATH JADHAV AND ORS .. Petitioners

VERSUS

THE STATE OF MAHARASHTRA AND ORS ..Respondents

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Advocate for Petitioners : Shri S.R. Choukidar
AGP for Respondents No.1 & 2 : Shri S.R. Yadav Lonikar
Advocate for Respondents No.3 & 4 : Shri S.V. Adwant
Respondent No.5 – Served.
Advocate for Respondents No.6 & 7 : Shri V.D. Salunke

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**CORAM : SUNIL P. DESHMUKH &
B. U. DEBADWAR, JJ.**

Date : 07-01-2020

PER COURT :

1. Heard learned counsel appearing for the parties. Petition has been moved seeking implementation of recommendations of 6th Pay Commission and to direct respondents to pay according to the structure under notification dated 05-03-2010 issued by AICTIE and Government Resolutions dated 12-08-2009 and 20-08-2010.

2. Learned counsel for the parties fairly refer to a decision of the Supreme Court in the case of *Secretary, Mahatma Gandhi Mission & Anr Vs. Bhartiya Kamgar Sena & Ors*, reported in 2017 (1) ALL MR 947 (S.C.). They further refer to that employees and union in aforesaid decision had

subsequently settled the matter and had entered into consent terms.

3. Learned counsel for petitioners, on instructions, states that the petitioners as well are agreeable to same terms as contained in the consent terms amongst the parties to aforesaid Supreme Court decision. Learned counsel for respondents no.6 and 7 states the benefits pursuant to the same would be given to petitioners as per their tenure. Learned counsel for parties submit that present parties be deemed to be party to said consent terms. To avoid repetition of work the consent terms shall apply *mutatis mutandis* to present petition.

4. Having regard to aforesaid, we deem it appropriate to dispose of present writ petition in the consent terms dated 02-04-2017, *mutatis mutandis*.

5. Benefits be paid accordingly to the present petitioners as early as possible, preferably within a period of three months from today.

6. Petition is disposed of accordingly.

(**B. U. DEBADWAR, J.)**

(**SUNIL P. DESHMUKH, J.)**