

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8206 OF 2019

SUNIL YADAV WARAKE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Ms. Surekha Mahajan, Advocate for petitioner
Mr. S.P. Sonpawale, AGP for respondent – State
...

CORAM : SUNIL P. DESHMUKH &
M.G. SEWLIKAR, JJ.
DATE : 04-11-2020

ORDER :

1. The petition has been moved seeking mandamus to respondents in following terms,

“ B. By issuing writ of mandamus or order or direction or any other writ of like nature, the respondent no. 4 may kindly be directed to do the pay fixation of the petitioners as per the letter dtd. 20/04/2018 issued by Resp. no. 3 after considering the various orders passed by this Hon’ble Court forthwith and further resp. no. 5 may kindly be directed to disburse the amount of arrears of each petitioners as mentined in the calculation chart at Exhibit --- forthwith and further resp. no. 5 may kindly be directed to grant the disbursing amount with 8% interest to all the petitioners forthwith.”

2. During the pendency of writ petition, matter progressed further. An affidavit-in-reply on behalf of respondents no. 3 and 4 has been filed on 26-10-2020, reading thus,

“ 2. I say and submit that, the State government School Education and Sports Department, Mantralaya, Mumbai – 32 has issued circular dated 14.06.2016 in view of the pay scale applicable bearing No. 212 dated 07.04.2017 and No. 408 dated 27.04.2018 and made applicable the pay scale as follow :

4th Pay Commission – Rs.1400-2600

5th Pay Commission – Rs.5500-9000

6th Pay Commission – Rs.9300-34800 Grade pay Rs.4300

*As per the order of the Education Officer (Secondary) Zilla Parishad, Jalgaon to the Head Masters of the concerned Secondary schools fixed the pay scale which is verified by the Accounts Officer, Education Department Jalgaon. Copies of relevant pages of service book of petitioner are annexed herewith and marked as **Exhibit “R-1”** collectively.*

*I say and submit that, copies of the proposals regarding verification of the pay-scales as per order passed in Writ Petition No. 8206/2019 has been submitted for the concerned schools i.e. Respondent Nos. 6, 7 and 8 and **deponent has verified the same and copy of the original service book handed over to the concerned schools on 22.10.2020 for further steps to release the amount of difference will be taken by the Head Masters of the concerned schools and the office of Superintendent, Pay unit & GPF office, Jalgaon which is competent authority.** Copies of the proposal annexed herewith and marked as **Exhibit “R-2”** collectively. ”*

3. In view of aforesaid, to quite some extent, the relief claimed under the writ petition gets expedited.

4. In the circumstances, the exercise, as has been observed in the last sub-paragraph, as referred to above, shall be carried out by all the concerned within a period of eight (8) weeks from today and the actual benefits be given to petitioner within said period.

5. Writ petition accordingly is disposed of.

[M.G. SEWLIKAR]
JUDGE

[SUNIL P. DESHMUKH]
JUDGE

arp/