

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

WRIT PETITION NO.9614 OF 2019

Dr. Quadri Shujat Hussain

.. Petitioner

Versus

The State of Maharashtra and ors.

.. Respondents

Mr A.C. Deshpande, Advocate for petitioner

Mr P.S. Patil, Addl.G.P. for respondents no.1 to 3

**CORAM : S.V. GANGAPURWALA AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 3.2.2020

ORAL ORDER :

1. The petitioner seeks stepping up of pay scale. According to the learned Counsel for petitioner, the petitioner is awarded Ph.D. qualification prior to 1.1.2006. Mr Bari is junior to petitioner. He has acquired qualification of Ph.D. after 1.1.2006 and he has been granted benefit of non-compounded increment. A senior cannot get salary less than his junior.

2. The respondents shall take necessary action to step up the pay of petitioner so as to bring it at par with the juniors where all the parameters are same and shall not discriminate only because the junior teachers have acquired Ph.D. Degree and are getting higher salary during implementation of 6th Pay Commission's recommendations. The salary of the petitioner may be re-fixed and arrears be paid within a period of six months.

3. Writ Petition is disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S.V. GANGAPURWALA, J.)