

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 6967 OF 2021

PRAKASH RAMSING CHAVAN
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Paresh B. Patil (Borse)
AGP for Respondent : Mr. A. R. Kale
...

**CORAM : S.V. GANGAPURWALA AND
M. G. SEWLIKAR, JJ.**

DATE : 25th JUNE, 2021

PER COURT :-

The petitioner is working as a Hostel Superintendent. The qualification of the petitioner is H.S.C. D.Ed. According to the learned counsel, the petitioner is required to be treated as a trained Hostel Superintendent and salary is required to be paid in the pay scale of Trained Hostel Superintendent. The learned counsel submits that the petitioner is also entitled for the Assured Career Progression Scheme (ACPS) benefit. The learned counsel relies on the order dated 04-05-2010 passed in Writ Petition No. 2352 of 2010 with other connected Writ Petitions and another order in Writ Petition No. 2222 of 2017 dated 16-02-2017.

2. Mr. Kale, the learned Assistant Government Pleader, on going through the Judgments referred to above, confirms that the petitioner is similarly situated.

3. Considering the above, we hold that the petitioner would be entitled for the salary of a Trained Hostel Superintendent. The respondents shall treat the petitioner as Trained Hostel Superintendent and pay the salary accordingly. The difference of salary shall also be paid accordingly. It is further observed that the benefit of ACPS is applicable to the petitioner.

4. As far as the benefit of Higher Pay Scale (Time Bound Promotion) after completion of 12 years qualifying services is claimed by the petitioner, the petitioner shall make representation to the authority. The Authority concerned shall consider the same in accordance with law as expeditiously as possible, preferably within a period of six months from the date of filing of representation-cum-application.

5. The Writ Petition is disposed of. No costs.

(M. G. SEWLIKAR)
JUDGE

(S.V. GANGAPURWALA)
JUDGE