

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

WRIT PETITION NO. 8529 OF 2021

Rajasaheb Khanderao Borale .. Petitioner

Versus

The State of Maharashtra and another.. Respondents

Shri Ganesh A. Gadhe, Advocate for the Petitioner.
Shri P. S. Patil, Addl.G.P. for Respondent Nos. 1, 3 and 4.
Shri V. P. Latange, Advocate for the Respondent No. 2.

**CORAM : S. V. GANGAPURWALA AND
S. G. DIGE, JJ.**

DATE : 09TH DECEMBER, 2021.

FINAL ORDER :

. We have heard Mr. Gadhe, the learned advocate for the petitioner and Mr. Latange, the learned advocate for the respondent No. 2/university.

2. The petition is filed on apprehension that pay scale would be revised and reduced. Said apprehension in the mind of the petitioner, it appears to be is on the basis of communication received from the university directing to fill in the pay fixation forms and reference was made to the notification dated 08th December, 2020.

3. Mr. Gadhe, the learned advocate submits that, the said notification itself clarifies that for the employees appointed

between 2009 to 2012, a separate order is to be passed for implementation of 07th Pay Commission. The petitioner is appointed in the year 2011. The approval is also granted to the appointment of the petitioner in the pay scale of Rs. 9300 – 34800 with Grade pay of Rs. 4400/-. If the notification dated 08th December, 2020 is applied the grade pay of the petitioner would be reduced to Rs. 2800/-.

4. Mr. Latange, the learned counsel for the university submits that, the university has filed reply. It has been clarified in the reply that the respondent/university has not done pay fixation as per the notification dated 08th December, 2020 and the salary is paid as per the previous pay fixation i. e. 6th Pay Commission.

5. The university in the affidavit has admitted about the anomalies and the grievance of the employees has been communicated to the Secretary, Higher and Technical Education for consideration.

6. As university has not resorted to re-pay fixation, the apprehension of the petitioner at present may not be justified.

7. Be that as it may, the university has already approached the Government. It is for the Government to take a policy decision in this regard, which the Government may take expeditiously.

8. With the aforesaid observations, the writ petition is disposed of. No costs.

[S. G. DIGE, J.]

[S. V. GANGAPURWALA, J.]

bsb/Dec.21