

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

986 WRIT PETITION NO. 7926 OF 2021

Khushal Pandurang Waghmare .. Petitioner
Versus
The State of Maharashtra and others .. Respondents

Mr. Anand V. Patil (Indrale), Advocate for the Petitioner.
Mrs. D. S. Jape, AGP for Respondent Nos. 1 to 3.

997 WRIT PETITION NO. 7937 OF 2021

Rajeshwar Bhaskarrao Deshmukh
and another .. Petitioners
Versus
The State of Maharashtra and others .. Respondents

Mr. Anand V. Patil (Indrale), Advocate for the Petitioners.
Mrs. D. S. Jape, AGP for Respondent Nos. 1 to 3.

1002 WRIT PETITION NO. 7942 OF 2021

Shayam Kisanrao Pathak .. Petitioner
Versus
The State of Maharashtra and others .. Respondents

Mr. Anand V. Patil (Indrale), Advocate for the Petitioner.
Mr. P. G. Borade, AGP for Respondent Nos. 1 to 3.

1004 WRIT PETITION NO. 7944 OF 2021

Ganesh Shivajirao Solunke .. Petitioner
Versus
The State of Maharashtra and others .. Respondents

Mr. Anand V. Patil (Indrale), Advocate for the Petitioner.
Mrs. D. S. Jape, AGP for Respondent Nos. 1 to 3.

**CORAM : S. V. GANGAPURWALA &
R. N. LADDHA, JJ.**

DATED : 23rd JULY, 2021.

PER COURT:-

. Mr. Patil, the learned counsel for the petitioners submits that the Joint Director of Higher Education under the communication directed the deduction of salary and the pay scale. The learned counsel submits that the petitioners are appointed for subject Physical Education. The similar issue has been dealt with by this Court in Writ Petition No. 3946/2019 decided under order dated 19th November, 2019.

2. We have also heard the learned Assistant Government Pleader for respondent Nos. 1 to 3.

3. For the reasons stated in the Writ Petition No. 3946/2019 under the order dated 19.11.2019 and in Writ Petition No. 1309/2014, we pass the following order :-

4. The impugned orders are quashed and set aside. The respondent authority shall consider the factual matrix after hearing the petitioners, so also the relevant Government Resolution before passing any further orders with regard to the entitlement of the pay scale of the petitioners. The petitioners shall appear before the respondent No. 3 on

10.08.2021. The respondent No. 3 shall take decision with regard to the pay scale after hearing the petitioners and the Management. The learned counsel also relies on the communication dated 11.11.2014 issued by the Joint Director to the Director of Education. The decision shall be taken within a period of four (04) months from the date of appearance on 10.08.2021.

4. Writ petitions are disposed of. No costs.

(R. N. LADDHA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

PS.B.