

Anand

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4916 OF 2019

Dr. Sanjay S/o. Bhaskarrao Kasture .Petitioner

ShubhaS.
Pathak

Vs.

The State of Maharashtra through its Secretary, .Respondents
higher & technical department & ors.

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Pathak

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WITH
WRIT PETITION NO. 4629 OF 2019

Dr. Veena w/o. Sanjay Kasture .Petitioner

Vs.

The State of Maharashtra through its Secretary, .Respondents
higher & technical department & ors.

Mr. Kunal Kataria a/w Ms Soorabhi Waknis i/b. Aagam Doshi & Co.,
Advocate, for the Petitioners

Mr. S. S. Bhende, AGP, for the Respondent – State in W. P. No. 4916 of
2019

Mr. A. B. Kadam, AGP, for the Respondent – State in W. P. No. 4629 of
2019

CORAM : S. C. GUPTE &
SURENDRA P. TAVADE, JJ.

DATE : 17 FEBRUARY 2021

P. C.

. The subject matter of controversy in the present Petition
concerns fixation of basic pay and terminal benefits on its basis in
respect of the Petitioner. The Petitioner was working as an

“Assistant Professor” with Respondent No. 4 – College till his voluntary retirement on 05 October 2006. The Petitioner appears to have made various representations concerning such fixation. The Petitioner refers to the representations made in 3 November 2006, 3 August 2018 and 4 September 2018. It is his case inter alia that he was not granted monetary benefits as per the applicable Government Resolution. Since the main grievance of the Petitioner concerns non-consideration of his representations, the Petition can be conveniently disposed of by directing the Respondent – State to consider the representations in a time bound manner.

2. Accordingly, the Petition is disposed of by permitting the Petitioner to make a consolidated representation to Respondent Nos. 2 & 3. Such representation shall be made within a period of two weeks from today. Upon such representation being made, Respondent No. 3 shall take an appropriate decision and communicate the same to the Petitioner within a period of eight weeks of receipt of such representation. The Petition is disposed of in the above terms. All rights and contentions of the Petitioner on merits in that behalf are kept open.

3. The facts of the Petitioner’s case in the companion Petition, i. e. W. P. No. 4629 of 2019, are more or less similar except that she was appointed as a “Lecturer” and not an “Assistant Professor” as in the case of the Petitioner in W. P. No. 4916 of 2019. Even in the companion matter, the State has not responded to the various representations made by her. Accordingly, for the same reasons that are considered in W. P. No. 4916 of 2019, even the present Petitioner is permitted to make a consolidated representation within a period of two weeks from

today and Respondent No. 3 is directed to take a final decision on such representation within a period of eight weeks of receipt of such representation. The Petition, being W. P. No. 4629 of 2019, is also disposed of accordingly keeping all rights and contentions of the Petitioner on merits open.

(SURENDRA P. TAVADE, J.)

(S.C.GUPTE, J.)