

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,  
NAGPUR BENCH : NAGPUR.**

**CIVIL APPLICATION (CAW) NO.1280/2021 AND WRIT  
PETITION NO.3473/2021**

Dr. Vinod S/o Deokumar Guldekar

..Vs..

The State of Maharashtra and others

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Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

Court's or Judge's Order

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Mr. Bhanudas G. Kulkarni, Advocate for the petitioner.

**CORAM :- SUNIL B. SHUKRE AND  
ANIL S. KILOR, JJ.**

**DATED :- 14.9.2021.**

Heard.

2. The contention of the petitioner is that he was promoted straightway to the post of Associate Professor w.e.f. 10<sup>th</sup> August, 2005 and, therefore, he could never have been treated as falling in the same category as those Associate Professors who were brought in the pay-scale of Assured Career Progression Scheme. Learned counsel for the petitioner submits that it is for this reason, no pay revision in respect of the salary payable to the petitioner could have been done by the respondents and no recovery of any amount, on the ground of alleged excess payment, could have been effected by the respondents. On this ground, interim relief has been sought for which reliance has been placed on the similar orders of interim relief granted in identical Writ Petition No.803/2019 pending before principal seat at Bombay and Writ Petition No.13634/2018 and Writ

Petition No.13858/2018 pending before Aurangabad Bench and Writ Petition No.2623/2019 pending before this Bench.

3. Considering the submissions made on behalf of the petitioner and also the interim relief granted in the petitions, having similar facts and circumstances, there shall be interim stay to the effect and operation of the communication dated 31<sup>st</sup> August, 2021. Meanwhile, issue notice for final disposal at admission stage to the respondents.

4. Ms K.S. Joshi, learned In-charge Government Pleader waives notice for respondent No.1.

5. Mr. Arun Patil, learned counsel waives notice for respondent No.3.

6. Civil application (CAW) No.1280/2021 is **disposed of** accordingly. No costs.

7. Stand over to four weeks.

**JUDGE**

**JUDGE**