

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

3 WRIT PETITION NO. 8840 OF 2022
WITH WP/6097/2022 WITH WP/8862/2022 WITH
WP/8891/2022

SHARAD S/O BABAURAO KENDRE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

.....
Advocate for Petitioners : Mr. Shrikant B. Madde
AGP for Respondent-State : Mr. S. K. Tambe
.....

CORAM : RAVINDRA V. GHUGE AND
ARUN R. PEDNEKER, JJ.

DATED : 05 SEPTEMBER 2022

PER COURT :-

1. In all these identically placed petitions, we had passed the following order on 29.08.2022:

*“1. The learned advocate for the petitioners submits that the petitioners are covered by the order passed by this Court dated 18.08.2022 in Writ Petition No.8156/2022 filed by **Bhaiyyasaheb Jijabrao Ahire vs. Union of India and others.***

2. *The learned AGP seeks a short accommodation to take instructions.*

3. *List these matters in the “passing orders” category on 05.09.2022 (Monday).”*

2. The learned Advocate for the petitioners submits that the order of this Court dated 18.08.2022 passed in ***Bhaiyasaheb Jijabrao Ahire*** (supra) would apply to the case of these petitioners. They have set out the calculations from page no. 10 onwards. He submits that, these petitions can be disposed off.

3. In view of the above, we are reproducing the directions set out in paragraph 9 [A to F] from ***Bhaiyasaheb Jijabrao Ahire*** (supra), hereunder and make the same applicable to all these petitions :

A] The ready reference chart of calculations produced in these Petitions at the last page with the title ‘प्रपत्र-ब’, contains the calculations of the Petitioners and refers to their arrears as well as the salary structures / fixation. These calculations would be considered by the Deputy Director of Education, Nashik.

- B] The Respondents / authorities shall collect similar data from other similarly situated Petitioners / candidates, who have / have not approached the Court and the collection of such data would be completed by 30.11.2022.
- C] Thereafter, the Respondents shall conduct the verification exercise by comparing the data received from the candidates / Petitioners and the data prepared by their own departments and then confirm the records as regards the pay-scales of these candidates / Petitioners and the arrears of amount they have to be paid. This exercise will be concluded by 15.01.2023.
- D] Pursuant to the above, the payment of the arrears would be commenced and would be concluded by 31.03.2023.
- E] In those cases, which are undisputed as on date, the Respondents agree to commence their regular monthly salary within 30 days.
- F] Needless to state, after the above exercise is completed, if any of the Petitioners or similarly situated candidate/s is/are aggrieved by the

calculations and the amounts paid, they would be at liberty to avail of a remedy as may be permissible in law.

4. All the Writ Petitions are accordingly disposed off.

[ARUN R. PEDNEKER, J.]

[RAVINDRA V. GHUGE, J.]