

JPP

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO. 2148 OF 2015

Pralhad Baburao Salunke and Ors.

... Petitioners

V/s.

The State of Maharashtra and Ors.

... Respondents

Mr. Mandar Bagkar i/b. Ms. Pranita P. Hingmire for the Petitioners
Ms. B.V. Samant, AGP for the Respondent - State

***CORAM : NITIN JAMDAR &
AMIT B. BORKAR, JJ.***

DATE : 3 JANUARY 2022

P.C. :-

When the Petition is called out a request for adjournment is made, having gone through the Petition and the issue raised therein, we have found that it is not necessary to adjourn the Petition further for the following reasons.

2. The Petitioners were working as part time librarian in the various schools recognized by the Respondent – State on grant-in-aid basis have sought a direction to grant for revised pay scale as per the order passed by this Court in Writ Petition No. 1622 of 2000 on 19 July 2004 in the case of *Shobhu Shankar Chavhan*.

3. When the Petition came up before this Court on 10 December 2018, the Petition was adjourned after observing that the issue raised in this Petition has been referred to larger bench by order dated 16 January 2018 and pending decision of the reference, the matter was adjourned.

4. The learned AGP has placed on record the decision of the Full Bench rendered on 19 December 2019 wherein the Full Bench has held that the adjudication in *Shobhu Shankar Chavhan* in Writ Petition No. 1622 of 2000 was only a one line order and did not constitute a binding precedent to hold that a trained librarian would be entitled to a pay scale as sought for and cannot claim parity with the teaching staff. Therefore, the foundation of this Petition being based on the decision in the case of *Shobhu Shankar Chavhan* in Writ Petition No. 1622 of 2000 and that it was deferred only because of pendency of the reference before the Full Bench and that the Full Bench has now answered the same holding the decision in Writ Petition No. 1622 of 2000 is not a good law, the relief sought for in this Petition cannot be granted.

5. Writ Petition is accordingly disposed of.

AMIT B. BORKAR, J.

NITIN JAMDAR, J.