

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

WRIT PETITION NO. 3521 OF 2022

Dr. Chandrakant Mhasu Borase	...Petitioner
vs.	
The State of Maharashtra Through Its Principal Secretary and Ors.	...Respondents

Mr. Laxman Deshmukh, Advocate for the Petitioners.
Mr. S. B. Kalel, AGP for State.

**CORAM : S.V. GANGAPURWALA AND
 S. M. MODAK, JJ.**

DATE : 27th JUNE, 2022

P. C. :-

1. Mr. Laxman Deshmukh, learned counsel for the Petitioner submits that Petitioner had PH.D qualification. The junior to the Petitioner similar in all respect are paid more. The learned counsel submits that Senior cannot be paid less than his junior.
2. We have also heard the learned AGP.
3. The said issue need not be debated. The junior cannot be paid more than the senior if they are holding the same qualification and on the same post.
4. In the result, we pass the following Order:-

ORDER

- (i) The Respondent No. 2 shall consider the representation made by the Petitioner (page 107);
- (ii) And if it is found that the junior to the Petitioner similar in all respect is paid more, then re-fix the pay scale of the Petitioner in the pay scale as being paid to the junior similar in all respect.
- (iii) Decision shall be taken preferably, within four months.

5. Writ Petition is disposed of. No costs.

[S. M. MODAK, J.]

[S.V. GANGAPURWALA,J.]