

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

WRIT PETITION NO. 8698 OF 2021

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Satish Dinkarrao Deokar & Ors.

..... Petitioners

Vs.

State of Maharashtra & Ors.

..... Respondents

Mr. Umesh Kurund for the Petitioners

Mr. K. S. Thorat, AGP for the State

**CORAM: S.V.GANGAPURWALA &
R.N. LADDHA, JJ.**

DATED : OCTOBER 7, 2022

P.C.

1 We have heard Mr. Kurund, learned counsel for the
Petitioners. The learned Advocate submits that the Petitioners are
getting less salary than their juniors similarly situated in all
respects. According to him, the senior cannot be paid less salary
than the junior similarly situated in all respects. The petitioners
seek stepping up of pay as per the chart filed along with the writ
petition (Exh.A).

2 We have heard the learned AGP also.

3 It is trite that a senior cannot be paid less than the junior
similarly situated in all respects. In that case, the salary of the
senior is to be stepped up to that of his junior.

4. In light of the above, we pass the following order :-

ORDER

- (i) Respective Colleges shall forward the proposal for stepping up of the salary of the Petitioners (Exh.A) to the Joint Director of Higher and Technical Education preferably within 8 weeks from the date of receipt of this order.
- (ii) The Joint Director of Higher and Technical Education shall verify the factual matrix and upon arriving at a conclusion that the junior to these Petitioners similar in all respects are paid more salary than the salary of Petitioners, the salary of the Petitioners shall be stepped up so as to bring them on par with their juniors similarly placed. The said exercise shall be done preferably within three months from the date of the receipt of the proposal.
- (iii) The Writ Petition is accordingly disposed of. No costs.

(R.N. LADDHA,J.)

(S.V. GANGAPURWALA, J.)