

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

Writ Petition No. 2582 of 2020

Yogesh Bhimrao Jadhav & ors. ... Petitioners

v/s.

State of Maharashtra
through Dept. of Agriculture
Dairy Development,
Animal Husbandry & Ors.

... Respondents

Mr. Anukul B. Seth a/w. Mr. Amar Bodke a/w. Gajanan Kukde,
Advocate a/w. Advocate Avinash Bailmare i/b. Advocate Pooja V.
Thorat for the Petitioners.

Mr.V.M.Mali, AGP for Respondents 1 & 2 -State.

Mr. Vaibhav Jagdale i/b. Mr. Avinash K. Jalisatgi for Respondent No.3.

**CORAM : SUNIL B.SHUKRE &
G.A. SANAP, JJ.**

4th April 2022

P.C.

Heard learned Counsel for the parties.

2. Leave to amend the cause title by substituting the names of legal heirs of Petitioner No.4 is granted. Amendment be carried out forthwith.

3. The copy of the Circular dated 10th October 2021 produced before the Court by learned Counsel for the Petitioner is taken on record. It is marked as Document 'A' for identification. The Document 'A' is a Circular issued by the Registrar of Respondent No.3. It clearly shows that the revised pay scale as per the recommendations of 6th Pay Commission has been applied to the lower grade and senior grade employees of Respondent No.3 which include the Petitioners. With the pay scale having been revised with effect from 10th July 2006, the main grievance of the Petitioner regarding they not being paid higher pay scale is now satisfied. As regards the claim of the Petitioners, to receive the arrears of the revised pay-scale, we are of the view that Petitioners would have to make an appropriate representation to Respondent Nos.1,2 and 3.

4. Learned Counsel for the Petitioners, on instructions, submits that Petitioners are willing to make appropriate representation.

5. In view of above, we dispose of the Petition as having served its purpose substantially while granting liberty to the Petitioners to make a representation to the Respondents for giving them benefit of arrears of revised pay scale w.e.f. 10th July 2006, in accordance with law. Petitioners may make such a representation within a period of four weeks from the date of the order and if such a representation is made,

we direct the Respondents to decide the same within a period of six months from the date of receipt of representation. Meanwhile, we direct that no recovery of excess salary paid to any of the Petitioners, if any, be made till the decision is taken on the representation of the Petitioners.

6. Petition is disposed of in the above terms.

(G.A.SANAP, J)

(SUNIL B.SHUKRE, J)

Lata Panjwani, P.S.