

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

WRIT PETITION NO.1147 OF 2022

- 1) Dr. Chandrakant Shriram Khodre,
aged 38 years, occupation : Service,
- 2) Sanghapal Deoraoji Kamble,
aged 36 years, occupation : Service,
- 3) Kishor Arunrao Parsodkar,
aged 36 years, occupation : Service,

All the petitioners are r/o c/o
Sanghapal Deoraoji Kamble,
r/o Sant Dnyaneshwar Nagar,
Masala, Wardha.

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Petitioners

- Versus -

- 1) All India Council for Technical Education,
Nelson Mandela Marg, Vasant Kunj,
New Delhi-70, through its Regional
Officer.
- 2) Joint Director of Technical Education,
Nagpur Division, Nagpur.
- 3) Rashtrasant Tukdoji Maharaj Nagpur
University, Nagpur, through its Registrar.
- 4) Bapurao Deshmukh Foundation, Wardha,
through its Secretary, C/o Suresh Deshmukh
College of Engineering, Selu Kate, District
Wardha.
- 5) Suresh Deshmukh College of Engineering,
Selu Kate, Wardha. through its Principal.

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Respondents

Shri P.N. Shende, Advocate for petitioners.

Ms. N.P. Mehta, Assistant Government Pleader for respondent nos.1 and 2.

CORAM : A.S. CHANDURKAR AND URMILA JOSHI-PHALKE, JJ.
DATED : JULY 29, 2022

ORAL JUDGMENT (PER A.S. CHANDURKAR, J.) :

Rule. The Rule is made returnable forthwith. Heard finally by the consent of the learned Counsel appearing for the parties considering the short issue involved.

2) The petitioners, who were working as Associate Professor, Assistant Professor and Junior Clerk respectively at the respondent no.5 College, seek a direction for being paid their regular salary for duties discharged by them during the period from November 2016 to September 2017, from November 2016 to April 2018 and from August 2016 to April 2018 respectively as per the recommendations of the Sixth Pay Commission.

3) The learned counsel for the petitioners submits that Writ Petition No.4449 of 2019 pertaining to similarly situated Assistant Professors from the same College was decided by this Court on 11.12.2019 and directions were issued to pay arrears of salary as per the recommendation of the Sixth Pay Commission. The respondent nos.4 and 5 though served, have not opposed the prayers made in the writ petition.

4) Since we find that the petitioners are similarly situated as the

petitioners in Writ Petition No.4449 of 2019, we are inclined to issue similar directions as issued therein for the reasons recorded in the said order.

5) Accordingly, the respondent nos.4 and 5 are directed to pay the regular salary of the petitioners for the duties discharged by them during the period from November 2016 to September 2017, from November 2016 to April 2018 and from August 2016 to April 2018 respectively as per the recommendations of the Sixth Pay Commission along with all incidental benefits. The same would include depositing the amount of Provident Fund in the account of the petitioners for the aforesaid period. These directions be carried out within a period of twelve weeks from today.

6) Rule is made absolute in aforesaid terms. No costs.

JUDGE

JUDGE

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