

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

WRIT PETITION NO. 6545 OF 2019

Smt. Kalyani Nakul Satone,
Aged 41 years, Occupation – Nil,
R/o Radhakripa Chowk, Ramnagar,
Wardha.

.... **PETITIONER**

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, Selukate, Wardha.
- 5) Suresh Deshmukh College of
Engineering, Selukate, Wardha,
through its Principal.

.... **RESPONDENTS**

Mr. PN. Shende, Counsel for the petitioner,
Mr. A.M. Deshpande, Addl.G.P for respondent 2,
Mr. S.R. Charpe, Counsel h/f. Mr. R. Khade, Counsel for respondent 3,
None for respondents 1, 4 & 5.

CORAM : ROHIT B. DEO & ANIL L. PANSARE, JJ.
DATED : 5th AUGUST, 2022

ORAL JUDGMENT : (PER : ROHIT B. DEO, J.)

Notice for final disposal of the petition is issued on 24-9-2019.

2. The office note is that respondent 1 is not served. However, considering the issue involved, and the reliefs sought, we dispense with notice to respondent 1-All India Council for Technical Education, New Delhi. Respondents 4 and 5, who are duly served, have not entered appearance.

3. Petitioner is claiming salary for the work done as Assistant Professor during the period August 2016 to April 2018, in accordance with the pay scale prescribed as per the recommendations of the 6th Pay Commission. The other prayer is that respondents 4 and 5, the Secretary of the institution and the Principal of the Suresh Deshmukh College of Engineering, Wardha respectively be directed to pay the petitioner the amount of General Provident Fund for the last thirty months.

4. Our attention is invited to the decision in Writ Petition 4449/2019 in which relief is granted to similarly situated employees of respondents 4 and 5.

5. The decision in Writ Petition 4449/2019 is subsequently followed by the coordinate Bench while deciding Writ Petition 1147/2022.
6. Since similarly situated employees are granted relief, and in any event, we do not see any impediment in directing respondents 4 and 5 to pay the petitioner the unpaid salary in accordance with the 6th Pay Commission recommendations, we allow the petition in terms of prayer clauses (A) & (B), which read thus :

“(A) To direct the Respondent Nos.4 and 5, i.e. Secretary, Bapurao Deshmukh Foundation, Wardha and Principal, Suresh Deshmukh College of Engineering, Wardha, to forthwith pay the Regular salary of the Petitioner, for the work done by the Petitioners, during the period from August 2016 to April 2018, as per 6th Pay Scale, and by including the Proper Dearness Allowance.

(B) To direct the Respondent Nos.4 and 5 i.e. Secretary Bapurao Deshmukh Foundation, Wardha and Principal, Suresh Deshmukh College of Engineering, Wardha, to forthwith pay the Amount of G.P.F. of the Petitioner, for last 30 months.”

(ANIL L. PANSARE, J.)

(ROHIT B. DEO, J.)

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