

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION (WP) NO. 8100/2019

Dr. Anita Krushnakant Taksande
Age-41 years, Occupation – Nil,
R/o : C/o Pravin wankhede,
Master Colony Deoli Road, Wardha

..... PETITIONER

// VERSUS //

1. All India Council for Technical Education,
Nelson Mandela Marg, Vasant Kunj,
New Delhi-70, Through Secretary
2. Joint Director of Technical Education,
Nagpur Division, Nagpur.
3. Rashtrasant Tukdoji Maharaj
Nagpur University, Nagpur
through its Register.
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.

.... RESPONDENT(S)

Shri Mahesh V. Rai, Advocate for the petitioner
Shri N.P. Lambat, Advocate for respondent no. 1
None appears for respondent nos. 2 and 3
Shri S.K. Bhoyar, Advocate for respondent nos. 4 and 5.

**CORAM : A. S. CHANDURKAR AND
PUSHPA V. GANEDIWALA, JJ.**

DATED : 13/01/2022

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

Rule. Rule made returnable forthwith. Heard finally considering the short issue involved.

2. The petitioner who was working as Assistant Professor at the respondent no. 5-College seeks a direction for being paid her regular salary for duties discharged by her from September 2016 to April 2018 as per the recommendations of the Sixth Pay Commission.

3. The learned Counsel for the petitioner 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.

4. This fact is not disputed by the learned Counsel for the respondent nos. 4 and 5. It is, however, submitted that the amount of Rs.4,57,785/- is due and payable to the petitioner as per calculations of respondent no. 5.

5. Since we find that the petitioner is similarly situated as the petitioners in Writ Petition No. 4449 of 2019, we are inclined to issue similar directions as issued therein for reasons recorded in the said order.

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

7. Rule is made absolute in aforesaid terms. No costs.

JUDGE

JUDGE

SANDIP
MAHADEV
GATE

Digitally signed
by SANDIP
MAHADEV
GATE
Date:
2022.01.14
17:58:59
+0530