

1

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

WRIT PETITION NO.41 OF 2020
AND
WRIT PETITION NO.210 OF 2020
AND
WRIT PETITION NO.211 OF 2020
AN
WRIT PETITION NO.212 OF 2020

WRIT PETITION NO.41 OF 2020

Dr.Machhindra Nagorao Bhajbhujje,
Aged about 58 years, occupation : service,
R/o 51, Vaishal Nagar, Near Ahmed
Classes, Nagpur. **Petitioner.**

:: V E R S U S ::

1. The State of Maharashtra, through its
Secretary, Higher and Technical
Education Department, Mantralaya,
Mumbai-32.

2. The Joint Director of Higher
Education, Nagpur Division, Nagpur.

3. Jawaharlal Nehru Arts, Commerce &
Science College, Wadi, through its
Principal, Wadi, Nagpur-440 023. **Respondents.**

WRIT PETITION NO.210 OF 2020

Dr.Arun Narayan Kamble, aged
about 59 years, occupation -
service, r/o Swami Muktanand
Nagar, Nadura Road, Khamgaon, district
Buldhana. **Petitioner.**

:: V E R S U S ::

1. The State of Maharashtra, through its
Principal Secretary, Higher and
Technical Education Department,

2

Mantralaya, Mumbai-32.

2. The Joint Director of Higher Education, Amravati Division, Amravati.

3. G.S.Arts Commerce & Science College, Khamgaon, through its Principal, Khamgaon, district Buldhana. **Respondents.**

WRIT PETITION NO.211 OF 2020

Dr.Digambar Trimbaksingh Dongare,
Aged about 60 years, occupation -
retired, r/o Vidyabharti Colony,
Murtizapur Road, Karanja (Lad), district
Washim. **Petitioner.**

:: VERSUS ::

1. The State of Maharashtra, through its
Principal Secretary, Higher and
Technical Education Department,
Mantralaya, Mumbai-32.

2. The Joint Director of Higher Education, Amravati Division, Amravati.

3. S.S.S.K.R. Innani Mahavidyalaya, Karanja, through its Principal, Karanja (Lad), district Washim. **Respondents.**

WRIT PETITION NO.212 OF 2020

Dr.Prafulla Eknath Ajmire, aged
about 54 years, occupation -
service, r/o Saikrupa Bhatiya Layout
Sutalakhurd, D.P.Road, Khamgaon
District Buldhana. **Petitioner.**

:: VERSUS ::

1. The State Of Maharashtra, through its
Principal Secretary, Higher and

3

Technical Education Department,
Mantralaya, Mumbai-32.

2. The Joint Director of Higher
Education, Amravati Division,
Amravati.

3. G.S.Arts Commerce & Science
College, Khamgaon, through its
Principal, Khamgaon, district Buldhana. **Respondents.**

=====

Shri A.I.Sheikh, Counsel for the Petitioners.
Ms N.P.Mehta, Assistant Government Pleader for the State.
=====

CORAM : **A.S.CHANDURKAR & URMILA JOSHI-PHALKE, JJ.**
DATE : **03/08/2022**

ORAL JUDGMENT (Per : Urmila Joshi-Phalke, J.)

1. **Rule.** Rule made returnable forthwith. Heard learned
counsel for the parties.

2. The learned counsel for the parties state that the issue involved in
these cases was also involved in several writ petitions that were decided by the
Aurangabad Bench of the Bombay High Court by the judgment dated 21.11.2013. It
is stated that in the bunch of writ petitions bearing Writ Petition No.10283 of 2012
(*Sudamrao Keshawrao Aher and ors vs. The State of Maharashtra and others*) with
connected writ petitions, the Aurangabad Bench had directed the respondents to re-
fix the salary of the petitioners therein so as to bring it at par with the higher salary of
the juniors. It was held by the Aurangabad Bench in the said judgment that the
teachers could not have been discriminated only because the junior teacher had
acquired Ph.D. Degree after the coming into force of the Sixth Pay Commission

4

Recommendations. Learned Assistant Government Pleader for the State agrees that similar relief needs to be granted in favour of the petitioners herein.

3. Hence for the reasons recorded in the judgment dated 21.11.2013 in Writ Petition No.10283 of 2012 with connected writ petitions, these writ petitions are also allowed. The respondents are directed to compute the amount payable to the petitioners in accordance with the judgment dated 21.11.2013 and release the difference in salary to the petitioners within a period of three months from receipt of copy of the judgment.

4. Rule is made absolute in the aforesaid terms with no order as to costs.

(URMILA JOSHI-PHALKE, J.)

(A.S.CHANDURKAR, J.)

!! brWankhede !! Digitally signed
by BHUSHAN
RANA
WANKHEDE
WANKHEDE Date:
2022.08.30
15:52:30 +0530