

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

904 WRIT PETITION NO.15105 OF 2019

CHHAYA RADHAKRISHNA BARIDE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

.....

AND

905 WRIT PETITION NO.198 OF 2020

SANJAY NARSINGRAO WADIKAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

.....

AND

906 WRIT PETITION NO.1273 OF 2020

SUNIL TRIMBAKRAO DIVEGAONKAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

.....

AND

912 WRIT PETITION NO.2246 OF 2023

MADHAV SHAHAJIRAO JADHAV
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS

.....

Advocate for Petitioner : Mr. T.M. Venjane
AGPs for Respondents: Mr. V.M. Kagne, Mr. P.S. Patil, Mr. S.G.
Karlekar and Mr. S.K. Tambe

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**CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.
DATED : 23rd FEBRUARY, 2023.**

PER COURT :-

1. All these petitioners are said to be identically placed. All of

them contend that they are covered by the judgment of this Court, dated 01.10.2022, delivered in **writ petition No. 2074 of 2020, filed by Raju Kishanrao Pawar vs. The State of Maharashtra and others and connected matters**. It is further submitted that the guidelines set out in paragraph 21 of the said judgment can also be made applicable to the case of these petitioners.

2. The learned A.G.Ps. submit that the said judgment would be applicable to the case of the petitioners and the directions to cause verification exercise, is suitably applicable to their cases.

3. In view of the above, these petitions are partly allowed in terms of the benefits granted in the operative part of the orders in **Ganesh Narhar Chavan vs. the State of Maharashtra and others (writ petition No. 14935 of 2017, decided on 11.3.2022)** and in **Punjabari Baburao Dighe & Others vs. the State of Maharashtra and others (writ petition No. 12902 of 2018, decided on 06.05.2022)**. The following directions, as like in the case of **Raju Kishanrao Pawar (supra)**, will apply to their cases:-

(A) The State of Maharashtra would verify the case of each petitioner before us in the light of their service conditions and tenure of employment and upon confirming that they are entitled for the benefits in the light of the directions set out in **Ganesh Narhar Chavan (Supra)** and in **Punjabari Baburao Dighe**

(Supra), would proceed to extend such benefits to them as expeditiously as possible and preferably on or before 31.08.2023.

- (B) In cases where the State of Maharashtra comes to a conclusion that a particular petitioner is not entitled for the benefits, a reasoned order would be passed and the said order would be communicated to the concerned petitioner within a period of 30 days, on the last known address or on the address mentioned in the memo of the petition.
- (C) Such aggrieved petitioners would be at liberty to assail the said order by resorting to a remedy as is permissible in Law.
- (D) Akin to the orders passed by this Court at the Nagpur Bench and in **Punjahari Baburao Dighe (Supra)**, none of these petitioners would be entitled for the arrears of difference of wages.
- (E) Since it has been granted in **Ganesh Narhar Chavan (Supra)** and in **Punjahari Baburao Dighe (Supra)**, the State is required to compute 50% of the service rendered as a Part Time Librarian along with the period of 100% service rendered as full time Librarian, for the purposes of computing pensionable service.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE , J.)