

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.**

WRIT PETITION NO. 4173 OF 2023

1. Sayyad Jamir Shabbir,
Age : 53 years, Occu. Service as Lecturer,
R/o. Gandhi College, At Post Kada,
Tq. Ashti, Dist. Beed.
 2. Madan Rambhau Markande,
Age : 59 years, Occu. Service as Lecturer,
R/o. At Post Kada, Tq. Ashti, Dist. Beed.
 3. Gorakshnath Bapurao Shinde,
Age : 53 years, Occu. Service as Lecturer,
R/o. At Post Kada, Tq. Ashti, Dist. Beed.
 4. Vidhate Navnath Narayan
Age : 51 years, Occu. Service as Lecturer,
R/o. Gandhi College, At Post Kada,
Tq. Ashti, Dist. Beed.
- ...Petitioners**

Versus

1. The State of Maharashtra,
through its Secretary,
Higher Education Department,
Mantralaya, Mumbai.
 2. The Director of Higher Education,
Maharashtra State, Pune.
 3. The Joint Director of Education,
(Higher Education), Aurangabad,
Region, Aurangabad.
 4. The Administrative Officer,
Office of Joint Director of Education
(Higher Education), Aurangabad,
Region Aurangabad.
 5. Smt. Shantibai Kantilal Gandhi Arts,
Amolak Science & Pannalal Hiralal Gandhi
Commerce College, Kada, Tq. Ashti,
Dist. Beed, through its Principal
- ...Respondents**

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Mr. Sambhaji S. Tope – Advocate for the petitioners
Mr. P. S. Patil – AGP for respondent/State
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**CORAM : RAVINDRA V. GHUGE
AND
SANJAY A. DESHMUKH, JJ.**

DATED : 18th APRIL 2023

PER COURT : -

1. After this matter was heard for sometime, the learned AGP sought a pass over to take instructions.

2. In the post lunch session, the learned AGP places on record a communication dated 17th April, 2023 addressed to him by the Deputy Director [Higher Education], Aurangabad Division, Aurangabad – Dr. Surendra G. Thakur, wherein it is stated that the names of these petitioners would be deleted from the proposal that is sent to respondent no. 2 for verification as to whether they would be entitled to the benefits of the 5th, 6th and 7th Pay Commission recommendations. Once their names are deleted from the said proposal, their eligibility would be considered independently. The copy of the said letter dated 17th April, 2023 is taken on record and marked "X" for identification.

3. The learned advocate for the petitioners submits that the respondent no. 1 be directed to initiate steps for deletion of the names of these petitioners from the proposal, which is erroneously

forwarded, within a time frame and thereafter, the competent authority / respondent no. 3 and 4, as the case may be, would assess the entitlement of these petitioners to the benefits of the 5th, 6th and 7th Pay Commission recommendations.

4. In view of the above, **this petition is disposed off.** We expect the respondent no. 1 to take a decision as regards the deletion of names of these petitioners from the proposal which is purportedly erroneously forwarded. The cases of the petitioners be evaluated in order to verify as to whether they are entitled to the 5th, 6th and 7th Pay Commission recommendations. This exercise be completed within 60 days. A decision taken by the competent authorities shall be communicated in writing to these petitioners.

[SANJAY A. DESHMUKH]
JUDGE

[RAVINDRA V. GHUGE]
JUDGE