

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.3276 OF 2019

1. Mr. Pravin Kamalakar Mahadik
Age-Adult
R/o.-130-D, Kesarkar Peth
Opposite Pisal Archet,
Satara, Maharashtra-Pin 415002
Adhar No.8852 2130 4651
2. Mr. Hemant Devidas Goud
Age-Adult
R/o.-4, Hemshali, Pawar Colony
(Ramnagar)Shahupuri
Satara, Pin:415002
Adhar No:4223 0206 7879
3. Mr. Avinash Hari Namdas
Age-Adult (Retired)
R/o.-Rahimtpur Road, Godoli
Sangam Cooperative Housing Society
Godoli (Vilaspur),
Satara Pin:415002
Adhar No:8366 6687 7468
4. Mr. Nitin Gopalrao Shirsat
Age-Adult
R/o. Plot No 20, Prasad Hou. Society,
Soham, Sadar Bajar (Khed),
Behind New MHADA Colony,
Satara PIN-415001
Adhar No:897519083304

... Petitioners

Versus

1. The State of Maharashtra
Through the Secretary,

Higher Technical Education and
Employment Department,
Mantralaya, Mumbai 400 032.

2. The Director of Technical Education,
3 Mahapalika Marg,
Mumbai-400 001.

3. Joint Director of Technical Education
(Pune Region) 412, E, Shivaji Nagar
Bahirat Patil Chowk, Pune
PIN-411016.

4. Satara Education Society
Through its Chairman,
C/O. Anant English School
148, Mangalwar Peth, Satara
PIN-415002.

... Respondents

Mr. Suresh Pakale a/w. Mr. Nilesh Desai i/b. Mr. S. M. Katkar for Petitioners.
Mr. S. L. Babar, AGP for Respondent-State.
Mr. Aditya A. Joshi h/f. Abhijeet A. Joshi for Respondent Respondent No.3.
Mr. Rajshekhar V. Govilkar, Sr. Advocate i/b. Mr. Mihir Govilkar for
Respondent No.4.

**CORAM : A. S. CHANDURKAR &
FIRDOSH P. POONTIWALLA, JJ.**

DATE : 5th DECEMBER 2023

Oral Judgement (Per A. S. Chandurkar J.):

1. Rule. Rule made returnable forthwith. Heard the learned Counsel for the parties. Despite service Respondent No.4 has not chosen to contest the prayers made in the Writ Petition.

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2. The Petitioners are members of the non-teaching staff engaged at the College that is run by Respondent No.4 - Society. The Petitioners seek arrears of salary for the period from October 2017 to January 2019. Our attention is invited to the judgment dated 16.08.2018 in Writ Petition No.8493 of 2004 in the matter of *Shri. Salunkhe Jayawant Vishnu & Ors. Vs. The State of Maharashtra & Ors.* wherein similar relief was sought by other members of the teaching and non-teaching staff engaged by Respondent No. 4. This Court directed payment of salary as well as revised pay scale to the said Petitioners.

3. The averments made by the Petitioners of not being paid their salaries from October 2017 to January 2019 have gone uncontroverted. Since it is the primary responsibility of Respondent No.4 to make such payment, the Writ Petition is disposed of by directing the said Respondents to pay the Petitioners their arrears of salary for the period from October 2017 to January 2019 as per the applicable pay scale within a period of three months of receiving a copy of this order. On failure to make such payment on the expiry of period of three months, the amount due would carry interest at the rate of 6% per annum from the date of this order till actual payment. The Petitioners would be entitled to the benefit of the judgment of this Court in

the matter of *Shri. Salunkhe Jayawant Vishnu & Ors. (supra)* while receiving payment in accordance with the appropriate pay scale.

4. Rule is disposed of in the aforesaid terms with no orders as to costs.

(FIRDOSH P. POONIWALLA, J.)

(A. S. CHANDURKAR, J.)