

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

**WRIT PETITION NO.13458 OF 2018**

1. Gunjan Hari Deo  
Age-45 Yrs  
R/o.-216 A/5, Guruwar Peth,  
“Shantiganesh” Satara PIN 415 002.
2. Jayawant Dharmu Pawar  
Age-53 Yrs/  
R/o.-”Araua”, Gajanan Nagari, Gorakhpur  
Pirwadi Plot No.3 Satara PIN 415002.
3. Jahangir Gulab pathan  
Age-49 Yrs  
R/o.-77, Deshmukh Co-Op. Hsg. Soc.  
Sadar Bazar Satara PIN 415001.
4. Shrirang Hanmant Atre  
Age-49 Yrs.  
R.o.-344-A, Yadogopal Peth, F-4  
Guruprasad Apartment Satara  
PIN 415002
5. Santosh Jijaba Shinde  
Age-33 Yrs  
R/o. At Unchithane Post Ladegaon  
Tal Khatav, dist-Satara
6. Suraj Ramrao Dange  
Age-47 Yrs  
R/o. -”Rajas” Plot No.2,  
Shivnagar Co-op. Housing Society  
Krishnanagar, Satara PIN 415 003.
7. Vishnu Chimaji Shelake  
Age-58 yrs

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R/o.-18, Dharamveer Sambhaji Colony  
Ambedare Road, Shahupuri Satara  
PIN 415002

8. Chandrakant Jaykar Gavade  
Age-32 Yrs  
R/o. At Post Halbhag Tal Walwa  
Dist-Sangali
9. Nitin Raghunath Zinzurke  
Age-44 Yrs  
R/o. At Post Tekavadi Tal Purandhar  
Dist Pune PIN 412104.
10. NitinChandrakantSalunkhe  
Age-42 Yrs  
R/o. Plot No. 54, Jyotirmay-Sanmitra  
Housing Society Golibar Maidan,  
Godoli, Satara PIN 415002
11. Sunil Narendra Landge  
Age-54 Yrs  
R/o.-Plot No.06, Samata Colony  
Gendamal Shahupuri Satara  
PIN 415002
12. Shekhar Krishnaji Kulkarni  
Age-53 Yrs.  
R/o. -194 Pratapganj Peth,  
Saraswati Chambers,  
Satara PIN 145002.
13. Awaghade Santosh Surykant  
Age-35 yrs  
R/o.-Flat No 108 T-3 Thakkar City  
Satara, NH4 Nr Kanse Hundai,  
Satara 415002
14. Deshmukh Pratap Anantrao

Age-55 yrs  
R/o.-Flat No. 4, Hira Niketan Apts.  
338/B Karanje Turf Satara  
PIN 415002.

... 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. All India Council for Technical  
Education (A.I.C.T.E),  
Through the Member Secretary,  
Represented by the Regional  
Officer A.I.C.T.E. (Western Region),  
India Assurance Building,  
Second Floor, Opp. Churchgate Station,  
Mumbai-400 020.
4. Maharashtra State Board of Technical Education,  
Through its Director,  
49, Kherwadi, Ali Awar Jung Marg,  
Bandra (East), Mumbai-400 051.
5. Joint Director of Technical Education  
(Pune Region) 412, E, Shivaji Nagar  
Bahirat Patil Chowk, Pune  
PIN-411016.
6. Satara Education Society  
Through its Chairman,  
C/O. Anant English School

148, Mangalwar Peth, Satara  
PIN-415002.

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

8. The Principal,  
Satara Polytechnic, Satara  
A. P. Songaon, Khindwadi  
Near N. H. 4 Highway, Satara

... Respondents

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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.

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**CORAM : A. S. CHANDURKAR &  
FIRDOSH P. POONIWALLA, JJ.**  
**DATE : 5<sup>th</sup> 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 Nos.6 to 8 have not chosen to contest the prayers made in the Writ Petition.
2. The Petitioners are members of the teaching staff engaged at Respondent No.8- College that is run by Respondent Nos.6 and 7-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 Nos.6 to 8. 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 as per recommendations of the 5<sup>th</sup> and 6<sup>th</sup> Pay Commission have gone uncontroverted. Since it is the primary responsibility of Respondent Nos.6 to 8 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 as per the recommendations of the 5<sup>th</sup> and 6<sup>th</sup> Pay Commission from their initial date of appointment till superannuation.

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

**(FIRDOSH P. POONIWALLA, J.)**

**(A. S. CHANDURKAR, J.)**