IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 12196 OF 2024

Dr. Chandrashekhar Suresh Dharankar & Anr. ….Petitioners

Versus

State of Maharashtra & Anr. ….Respondents

Mr. Vaibhav Kulkarni, for the Petitioners.
Ms. Anu C. Kaladharan h/f. Mrs. Anjali N. Helekar, for Respondent No. 3.
Mr. Shrikrishna Gansavale through (VC), for Respondent Nos. 6 & 7.
Mrs. Gayatri Kale h/f. Rajendra Anbhule, for Respondent No. 5.
Mrs. Nisha Mehra, for Respondent Nos. 1, 2 & 4.

CORAM : RAVINDRA V. GHUGE &
ABHAY J. MANTRI, JJ.
DATE : 14th JANUARY, 2026

P.C. :-

1. In this matter, the Petitioners are identically placed. This matter pertains to a claim for salaries as per the 7th Pay Commission recommendations.

2. The record before us indicates that these Petitioners and the Respondent Management have been in litigation for quite some time. The history of the litigation shows that, with regard to the demand for the 6th Pay Commission salaries, the matter reached up to the Hon'ble Supreme Court, which delivered its judgment on

01.04.2025 in Special Leave Petition (Civil) No(s). 7058–7061 of 2019 (The Secretary, All India Shri Shivaji Memorial Society (AISSMS) and Others Versus The State of Maharashtra and Others) and Special Leave Petition (Civil) No (s). 4787 of 2025 (The Secretary, All India Shri Shivaji Memorial Society (AISSMS) versus Laxman Shivaji Godse & Ors.).

3. By the said judgment, the Hon’ble Supreme Court concluded that the Petitioners are entitled to the benefits arising from the 6th Pay Commission recommendations. It was further held that if the arrears are paid within 30 days, interest at the rate of 7.5% per annum would be payable, and if the arrears are paid after four weeks, interest would be calculated at the rate of 15% per annum.

4. There is no dispute that the Review Petition filed by the Management has been rejected by the Hon’ble Supreme Court on 23.07.2025. The Review Petition filed by two Petitioners, who did not possess Ph.D. and were aggrieved by the observations of the Hon’ble Supreme Court that they would be entitled to certain monetary benefits under the 6th Pay Commission recommendations only from the date of acquiring their Ph.D., is still pending.

5. Considering the above background and the fact that similar issues have arisen between the same Petitioners and the same Management, we called upon the learned Advocates to state whether they would agree to a direction to the Joint Director of Technical Education, Pune, to look into the aspect of pay fixation and the entitlements of the Petitioners under the 7th Pay Commission recommendations, keeping in view their entitlement to the 6th Pay Commission Recommendations.

6. Both the learned Advocates sought a pass over. When this matter was called out after lunch, both the learned Advocates submit, on instructions from their respective clients, that the Joint Director of Technical Education, Pune, may be issued certain directions by this Court for fixing the pay scales of these Petitioners in accordance with their qualifications and positions under the 7th Pay Commission recommendations.

7. In view of the above, **this Petition is disposed off** with the following directions:

a. The Joint Director, Technical Education, Pune shall be the authority who shall look into the pay fixation and the entitlement of the Petitioners.

b. Vide AICTE Notification dated 01.03.2019 & Maharashtra Government GR dated 11.09.2019, the pay scales of the teaching staff in institutes imparting technical education has been revised from 01.01.2016. This would be considered by him.

c. During the pendency of this petition, the Respondent Institute has implemented the 7th pay commission scales. The Petitioners however submit that arrears from 01.01.2016 have not been paid and the computation of salary from the date of implementation of the 7th pay commission is not proper.

d. In so far as the arrears of salaries/dues/gratuity/retirements dues etc, are concerned, the Petitioners would tender individual calculations to the Management, with a copy to the Competent Authorities, preferably within a period of 15 days. After receiving such charts, the Management would verify the claims of the Employees and draw its own calculations strictly in terms of the payscales applicable to these Employees as per the AICTE Norms. This exercise be completed within a period of 15 days thereafter.

e. If there is a consensus amongst the parties, the undisputed amounts shall be released by the management within a period of ten days.

f. To the extent of the disputed amounts, the authority, would apply its mind to the pay-scales governing the Management/Institution and deliver its conclusion on the issue as regards the disputed amounts, within a period of 60 days form 20.01.2026.

g. The authority shall apply its mind as to whether the pay scale is applicable to a particular employee in tune with the judicial pronouncements of the Hon'ble Supreme Court, especially by judgment dated 01.04.2025 in SLP (C) No. 7058-7061/2019 and order dated 13.05.2025 in Miscellaneous Diary No. 25046/2025 and other judicial pronouncements.

h. The parties shall be given an opportunity & the Joint Director is at liberty to call upon the stake holders to address him by scheduling such hearing. The parties are at liberty to appoint legal representatives, if desired.

i. The authority would pass a reasoned order within a period of thirty days from the date of hearing. If he comes to the conclusion that beyond the undisputed amount paid by the Management, some more amounts are required to be paid by the Management, the Management be directed to make such payments within a period of 30 days after the order of the said Authority. Copy of such order would also be delivered to the Representative of the Employees.

j. All amounts, including the undisputed amounts, would carry interest @ 7.5% p.a. if paid within a period of four weeks, failing which the interest shall be calculated at 15% per annum, in view of the direction of the Hon'ble Supreme Court in the Judgment between these parties.

k. Needless to state that after the Joint Director completes this exercise within a period of 60 days from 20th January 2026, if either the Petitioners or the Management is aggrieved by the pay fixation, they would be at liberty to avail a remedy as may be permissible in law.

l. The Joint Director would convene the first hearing on 20th

January 2026, at 11:30 a.m. at Pune. The Management and the Petitioners would render wholehearted cooperation to the Joint Director, and there should be no request for adjournments on frivolous or trivial grounds. All parties would cooperate with the Joint Director by participating in the hearings as may be posted on a particular date.

m. The exercise of fixation of pay scales would be completed within 60 days, as mentioned above. Based on such decision, the Petitioners would be permitted to seek withdrawal of their respective shares from the amount of Rs. 30 lakhs deposited in this Court, depending upon their eligibility.

n. If the Management finds that any litigant has been paid in excess, or that withdrawal from the amount deposited in this Court would result in excess payment, the Management would be at liberty to file an Interim Application for seeking appropriate directions in this disposed off Petition.

o. The Joint Director would take into account the pay fixation already carried out in the case of these Petitioners based on the 6th

Pay Commission recommendations.

8. The **pending Interim Application and the Review Petition would not survive and accordingly stands disposed off**.

(ABHAY J. MANTRI, J.) **(RAVINDRA V. GHUGE, J.)**