

JPP

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION***

WRIT PETITION NO. 845 OF 2020

Sanjay Shriram Kale and Anr.

... Petitioners

V/s.

University of Mumbai through the
Registrar and Ors.

... Respondents

with

WRIT PETITION NO. 853 OF 2020

Arun Moreshwar Ghaisas and Ors.

... Petitioners

V/s.

University of Mumbai and Ors.

... Respondents

Mr. Mihir Desai, Senior Advocate a/w. Ms. Devyani Kulkarni for
the Petitioners

Mr. V.P. Vaidya for the Respondent No.1

Ms. Jyoti Chavan, AGP for the Respondent – State.

***CORAM : NITIN JAMDAR &
AMIT B. BORKAR, JJ.***

DATE : 3 JANUARY 2022

P.C. :-

Heard the learned Counsel for the parties.

2. The Petitioners in these two Petitions, who were working in non-agricultural universities as non-teaching staff, have *inter alia* challenged the Government Resolution dated 7 December 2018, whereby the benefits of second Assured Career progression Scheme given by the earlier resolutions has been retrospectively withdrawn. The learned Senior Advocate for the Petitioners points out that there are various petitions filed both on the Original Side and the Appellate Side which raise identical challenge. The learned Senior Advocate for the Petitioners states that as regard the pensionary benefits of the Petitioners are concerned, except one (Petitioner No.4 in Writ Petition No.853 of 2020), all have received their pension. The learned Counsel states that however while releasing gratuity, the amount under the impugned Government Resolution has been deducted. The learned Counsel seeks leave to amend the Petition to raise the challenge to the deduction of the amount from the gratuity paid to the Petitioners. Leave granted. Amendment to be carried out before the next date.

3. The learned AGP states that as regard the Petitioner No.4 as above, the processing of the papers is already under way.

4. Stand over to 17 January 2022. To be listed under the caption “For Directions”.

5. The learned AGP and the learned Counsel for the Petitioners will give list of the Petitions raising identical issue so that they can be listed on the next date.

6. Liberty to the State to file reply as regard challenge to the Government Resolution, at present in one Petition on the Original Side and one Petition on the Appellate Side.

AMIT B. BORKAR, J.

NITIN JAMDAR, J.