

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

**142 WRIT PETITION NO. 12867 OF 2023**

Dr. Dnyaneshwar s/o Abhimanji Manerao

**...Petitioner**

**Versus**

Maulana Azad Education Society,  
through its President & Ors.

**...Respondents**

.....  
Mr. Sushant V. Dixit – Advocate for the petitioner  
Mr. V. M. Kagne – AGP for respondent / State  
.....

**CORAM : RAVINDRA V. GHUGE  
AND  
Y. G. KHOBRAGADE, JJ.**

**DATED : 18<sup>th</sup> OCTOBER, 2023**

**PER COURT :-**

1. The grievance of the petitioners is set out in prayer clauses A, B and C as under :-

A] For a writ of mandamus Order or direction in nature of mandamus directing to respondents nos. 1 and 2 to pay petitioner salary arrears from 01.09.2003 as per applicable pay scales i.e. till 01.01.2006 as per 5<sup>th</sup> pay commission, from 01.01.2006 to 01.01.2016 as per 6<sup>th</sup> pay commission and from 01.01.2016 till 31.05.2023 as per 7<sup>th</sup> pay commission as assistant professor as specified in chart annexed at EXHIBIT D.

B] For a writ of mandamus Order or direction in nature of mandamus directing respondents Nos. 1 and 2 to pay pension, gratuity and earned leave encashment and other retiral benefits with interest @ 18% p.a. from date of entitlement till actual realization and further continue payment of regular pension to petitioner.

C] For a writ of mandamus Order or direction in nature of mandamus to respondent No. 5 to take action against respondent no. 1 and 2 for non-payment of contribution payable towards employees' provident fund as per provisions of The Employees' Provident Funds and Miscellaneous Provisions Act, 1952 and to take steps for recovering amount of contribution alongwith interest and penalty and pay to petitioner.

2. Issue notice to the respondents, returnable on **06<sup>th</sup> December, 2023**. Learned AGP waives service of notice on behalf of respondent nos. 4 and 6.

**[Y. G. KHOBRADE]**  
JUDGE

**[RAVINDRA V. GHUGE]**  
JUDGE