

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.7584 OF 2012

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr.S.C.Swami, advocate holding for Mr.V.D.Gunale, advocate for the petitioner.
Mr.P.N.Mule, Asstt. Govt. Pleader for the State.
Mr.V.D.Hon, advocate for Respondent No.3.

**CORAM : S.V.GANGAPURWALA &
V.L.ACHLIYA, JJ.**
Date : 02.02.2015.

PER COURT :

1. Heard.
2. The learned counsel for the petitioner submits that the petitioner was in service with a private School from 5.7.1983 to 5.8.1991 and in the Zilla Parishad School from 5.8.1991 till date. The petitioner is not being given the benefit of the service rendered with the private School. Other similarly situated teachers are given the said benefit. According to the learned counsel, in view of the Government Resolution dated 15.10.1982, the petitioner is entitled for the benefit of his earlier service for the purpose of pay-scale.
3. The learned counsel for the Zilla Parishad submits that the

services rendered with the private School can not be considered. The benefit of the same can not be given to the petitioner.

4. The Government Resolution dated 15.10.1982 (Exh.G) is clear. It lays down that the pay of teachers who leave service in non-Government School and join Government/ex-Governmentttt (Zilla Parishad) secondary schools should be fixed on the basis of discharge certificate issued by the previous school provided that the service is continuous i.e. there is no physical break between the date of leaving first school and joining another school by the said employee.

5. In the present case, the Respondents do not contend that there is break in service. The service is continuous one. In the light of that, the Government resolution dated 15.10.1982 would squarely apply to the case of the petitioner.

6. In light of the above, the Respondents shall consider the services rendered by the petitioner from 5.7.1983 till 4.8.1996 for the purpose of pay-scale and pay fixation.

7. The Writ Petition is accordingly disposed of. No costs.

(V . L . ACHLIYA, J .)

(S . V . GANGAPURWALA, J .)

Dt..02.02.2015.
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