

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

Office Notes, Office
Memoranda of Coram,
appearances, Court's
orders or directions
and Registrar's orders

Court's or Judge's orders

WRIT PETITION NO. 10519 OF 2015

VASANTRAO PURUSHOTTAM MANDE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioners : Mr.Sonwane Mahesh R.
AGP for Respondents/State: Mr. S.K. Tambe.
Advocate for R.Nos.3 & 4: Mr.Yadav Nandkishor U.

...
CORAM : S.S. SHINDE & P.R. BORA, JJ.
Dated: DECEMBER 17, 2015

...

PER COURT:

Heard.

2 Rule. Rule returnable forthwith. With the consent of the learned Counsel for the parties, petition is taken up for final hearing.

3 Mr.Sonwane, learned Counsel submits that the petitioner is appointed prior to July, 1972. His date of appointment is mentioned in the petition. According to the learned Counsel, in view of the

Government Resolution dated 4.10.1983 if the teachers are appointed prior to 2.7.1972, possessing S.S.C. Qualification then they are to be considered as trained teachers and would be entitled for the pay-scale of a trained teacher. According to the learned counsel, this Court has already considered this aspect in various Writ Petitions, such as W.P. No.1311/1997 with connected writ petitions.

4 Learned Counsel for the Zilla Parishad submits that there is no proof annexed to the petition about the date of appointment of the petitioner. The Zilla Parishad would confirm the dates of appointment and would consider the case of the petitioner in view of the Government Resolution dated 4.10.1983.

5 The said aspect as agitated in the petition is no longer *res-integra* in view of the judgment referred above.

6 The respondents No.3 and 4 on confirming itself about the date of appointment and if it is satisfied that the petitioner is appointed prior to 2.7.1972 then the respondents shall accord the benefit of trained primary teacher's pay scale to the petitioner as per Government Resolution dated 4.10.1983 i.e. pay band of Rs.1200-2040 since

1986 and in the pay-band of Rs.4500-7000 since 1996 onwards.

7 In case it comes to the conclusion that the petitioner is entitled, the same benefits shall be paid expeditiously and preferably within six (6) months from today.

8 Rule accordingly made absolute in above terms. No costs.

(P.R. BORA, J)

(S.S. SHINDE, J)

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