

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.1877 OF 2005

Vilas S/o Sambhaji Bhapkar and others Vs. The State of Maharashtra and others.

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.P.R.Katneshwarkar, advocate for the Petitioners absent.

Mrs.M.A.Deshpande, A.G.P. for the State.

CORAM : S.V.GANGAPURWALA AND K.L.WADANE, JJ.

Date : 15.10.2016.

PER COURT :

1. Heard.

2. On 26.8.2016, when the matter was called out, none appeared for the petitioners. Today also none appears for the petitioners.

3. We have heard learned A.G.P. for the State.

4. The grievance of the petitioners is with regard to the grant of Selection Grade pay on completion of their 12 years of service irrespective of the fact that earlier services rendered for some period was on non grant-in-aid. Reliance is placed on the judgment

of the Division Bench of this Court in W.P.No.5056/2003 (Exh.H).

It has been observed by the Division Bench as under :

"In the case of "Devare S.L. and others Vs. The Accounts Officer, Education Department (Secondary), Nashik and others" (Writ Petition No.4346 of 2000, decided on 14th September, 2000) a Division Bench of this Court has held that Government Resolution nowhere prescribed that entire service of twelve years has to be in the aided school and, therefore, when the teachers are working in the aided they are entitled to revised scale on completion of twelve years even though entire service is not rendered in the aided school."

5. Considering above, we pass the following order :

a) The claim of Selection Grade pay scale to the petitioners shall not be denied only on the ground that initial service rendered by them was on non grant-in-aid basis and the service rendered on non grant-in-aid basis shall also be computed while calculating 12 years of continuous service and thereafter consider the case of the petitioners for grant of Selection Grade pay scale expeditiously, preferably within six (6) months. In case proposal is required to be submitted through Management, the petitioners may move the Management for submission of such proposal.

b) Rule accordingly made absolute in above terms. No costs.

(K . L . WADANE , J .)

(S . V . GANGAPURWALA , J .)

Dt.15.10.2016.
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