

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6382 OF 2016

Dhanraj Shivaji Vani ...Petitioner
Versus
The State of Maharashtra and Ors. ...Respondents

WITH

WRIT PETITION NO.6384 OF 2016

Nandinee G. Kajale ...Petitioner
Versus
The State of Maharashtra and Ors. ...Respondents

WITH

WRIT PETITION NO.6385 OF 2016

Rajendra K. Gangurde ...Petitioner
Versus
The State of Maharashtra and Ors. ...Respondents

WITH

WRIT PETITION NO.6386 OF 2016

Bhanasi Baban Ramu ...Petitioner
Versus
The State of Maharashtra and Ors. ...Respondents

WITH

WRIT PETITION NO.6387 OF 2016

Ravindra Barku Patil ...Petitioner
Versus
The State of Maharashtra and Ors. ...Respondents

WITH

WRIT PETITION NO.6388 OF 2016

Ashok A. Pawar ...Petitioner
Versus
The State of Maharashtra and Ors. ...Respondents

WRIT PETITION NO.6415 OF 2016

WITH

Chandrashekhar J. Dandgavhal ...Petitioner
Versus
The State of Maharashtra and Ors. ...Respondents

WITH
WRIT PETITION NO.6467 OF 2016

Shilpa Sharad Vaidya ...Petitioner
Versus
The State of Maharashtra and Ors. ...Respondents

WITH
WRIT PETITION NO.6469 OF 2016

Suresh Chintaman Aher ...Petitioner
Versus
The State of Maharashtra and Ors. ...Respondents

WITH
WRIT PETITION NO.6471 OF 2016

Baburao Ravba Nathe ...Petitioner
Versus
The State of Maharashtra and Ors. ...Respondents

WITH
WRIT PETITION NO.6472 OF 2016

Sunanda Ashok Pawar ...Petitioner
Versus
The State of Maharashtra and Ors. ...Respondents

WITH
WRIT PETITION NO.6474 OF 2016

Aasha Kishor Tataar ...Petitioner
Versus
The State of Maharashtra and Ors. ...Respondents

WITH
WRIT PETITION NO.6746 OF 2016

Ahire Sahbrao Baliram ...Petitioner
Versus
The State of Maharashtra and Ors. ...Respondents

WITH
WRIT PETITION NO.6405 OF 2016

Vasudha A. Bhargave	...Petitioner
Versus	
The State of Maharashtra and Ors.	...Respondents
...	
Mr. S.M. Sabrad, for the Petitioners.	
Mr. P.P. Kakde, A.G.P. for the Respondents -State.	

**CORAM : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.**

DATED : 29th JUNE, 2016.

P. C. :

Heard.

2. The Petitioners were State/National Awardee Teachers and were eligible for grant of two advance/additional increments in view of the Government Resolutions issued from time to time. The government issued resolution dated 4.9.2014, by which, two advance/additional increments were denied to the petitioners and other State/National awardee teachers. Since, according to the petitioners, the Government Resolution dated 4.9.2014 would operate prospectively, the State Government was not entitled to recall the orders granting two advance/additional increments to the petitioners and directing the recovery of the amount from one of them.

3. In the aforesaid set of facts, since we prima facie found that

the Government Resolution dated 4.9.2014 would operate prospectively, we had asked the learned Government Pleader to make a statement, whether the Government Resolution was prospective in nature and whether the petitioners were entitled to retain two advance/additional increments granted to them in pursuance of the Government Resolutions from time to time.

4. Mr. Kakade, the learned Additional Government Pleader, on the basis of the instructions states that the Government Resolution dated 4.9.2014 is prospective in nature and the same would not affect the petitioners and the State/National Awardee teachers, who have been granted benefit of two advance/additional increments before issuance of the Government Resolution dated 4.9.2014. It is, also stated that a budgetary provision would be made for granting the monetary benefit to the petitioners and the other State/ National Awardee teachers, who are entitled to the benefit of the resolutions of the State Government. It is stated that this court may grant some time to the State to release the monetary benefits flowing from the Government Resolutions issued from time to time, to the State/National Awardee teachers.

5. In view of the statement made by the learned Additional

Government Pleader, the grievance of the petitioners would stand redressed. We, therefore, dispose of the writ petitions by accepting the statement made by the learned Additional Government Pleader and direct the State Government to pay the monetary benefits flowing from the earlier resolutions to the petitioners, within a period of six months. Order accordingly. No order as to costs.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)