

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 10988 OF 2016

Jayprakash Narayan Deshmukh & Ors. .. Petitioners

V/s.

The State of Maharashtra & Ors. .. Respondents

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Mr. Nachiket Khaladkar, Advocate for the Petitioners.

Mr. Vikas Mali, AGP for Respondent - State.

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**CORAM : SHANTANU S. KEMKAR AND
PRAKASH D. NAIK, JJ.**

DATED : DECEMBER 13, 2016.

P.C. :

By this petition under Article 226 of the Constitution of India, Petitioners are seeking directions to the Respondents to grant two additional/advance increments to the Petitioners from the date of granting award in the scale (i.e. 6th pay scale) available when the award was given to them. According to the learned counsel for the petitioners some of the petitioners had already been extended the benefit but subsequently the same was withdrawn on the basis of the policy decision taken by the State Government. Some of the petitioners have not been extended the benefits though they are entitled for the same.

2 Learned counsel for Petitioners has placed reliance on various decisions of this Court including a Nagpur Bench decision in the case of ***Satish Madhaorao Kale and others Vs. State of Maharashtra and others***¹. In the said order dated 28th October 2016, the Division Bench after examining the controversy involved in the petition, has decided an identical issue holding the Petitioners in the said petition entitled for the relief as has been granted in the earlier petitions including in Writ Petition No.6116 of 2014. Having gone through the said order, we find that the question involved in the present petitions is squarely covered by the said order.

3 Learned AGP submits that a decision has already been taken in the meeting held on 24th November, 2016 to give benefit to all such teachers who have been awarded State/National Award of “Aadarsh Shikshak”.

4 Keeping in view the law laid down by Division Bench in case of ***Satish Madhaorao Kale (supra)***, as also the decision taken by the State on 24th November, 2016, we allow this petition in terms of prayer clause (a) of the petition and direct the State

1 Writ Petition No.5001 of 2016 decided on 20.10.2016

Government to disburse the monetary benefits to the Petitioners within a period of six weeks from today.

5 With the above directions, petition stands disposed of.
No order as to costs.

(PRAKASH D. NAIK, J.)

(SHANTANU S. KEMKAR, J.)