

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 476 OF 2015

(Ajmal Khan s/o Hameed Khan and another vs. State of Maharashtra and others)

WITH WRIT PETITION NO. 477 OF 2015

(Ku. Meena d/o Harishchandra Pawar and others vs. State of Maharashtra and others)

WITH WRIT PETITION NO. 478 OF 2015

(Ku. Sangita d/o Hanuman Mhaske and another vs. State of Maharashtra and others)

WITH WRIT PETITION NO. 479 OF 2015

(Dyaneshwar s/o Manikrao Kale and others vs. State of Maharashtra and others)

WITH WRIT PETITION NO.5533 OF 2015

(Dhanraj s/o Tukaram Rathod and others vs. State of Maharashtra and another)

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

Mrs. R.P. Tiwari, Advocate for petitioners.

Shri P.S. Tembhare, Assistant Government Pleader for
 respondent nos.1 and 2.

Shri M.I. Dhatri, Advocate for respondent no.3 in Writ
 Petition No.476/2015.

CORAM : SMT. VASANTI A NAIK AND
 KUM. INDIRA JAIN, JJ.

DATED : AUGUST 22, 2016

Since the issues involved in these writ petitions are identical and similar prayers are made therein, they are heard together and are decided by this common order.

By these writ petitions, the petitioners seek a direction to respondents – respective Zilla Parishads and Municipal Councils to grant them the pay scale of untrained Teachers along with increments in the light of the communication of the respondents dated 24/4/2007 as also the observations made by this Court in the judgment dated 24/4/2012 in Writ Petition

No.7116/2011.

It is stated on behalf of the petitioners that the cases of the petitioners would be covered by the judgment dated 18/6/2014 in Writ Petition No.237/2014 and others. It is further stated that this Court had after considering the judgment of the Aurangabad Bench in Writ Petition No.7116/2011 allowed the said writ petition and granted similar relief to the petitioners therein.

On the other hand, it is stated on behalf of respondents that the issues involved in these cases stand answered against the petitioners by the judgment dated 16/10/2015 in Writ Petition No. 2440/2014 and others. It is further stated that while denying similar relief to the petitioners in the said writ petitions, this Court has considered the Shikshan Sevak Scheme of the year 2003 and the relevant Clauses therein that were not considered in the earlier decisions. It is also stated that the special leave petition filed against the judgment dated 16/10/2015 in Writ Petition No. 2440/2014 and others is dismissed by the Hon'ble Supreme Court recently and the said judgment is upheld.

On hearing the learned Counsel for the parties and on perusal of the judgments referred to hereinabove, we find that the issues involved in these cases have been extensively dealt with in the judgment dated 16/10/2015 in Writ Petition No. 2440/2014 and others and some material that was not considered in the earlier judgments is also considered by this Court in the judgment dated 16/10/2015 that is upheld by the

Hon'ble Supreme Court.

In view of the aforesaid, for the reasons recorded in the judgment dated 16/10/2015 in Writ Petition No. 2440/2014 and others, we dismiss the writ petitions with no order as to costs.

JUDGE

JUDGE

khj

CERTIFICATE

I certify that this order uploaded is a true
and correct copy of original signed order.

Uploaded by :

Kamal H. Jeswani
Private Secretary

Uploaded on :

23/08/2016