

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 2410 OF 2016

Shri Baba Vithobaji Warbhe and others

-VS-

The State of Maharashtra, through its Secretary, Department of School Education and others

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

Court's or Judge's Orders.

Mr.A.B.Tikle, counsel for the petitioners.
Mr.Ambarish Joshi, AGP for the respondents.

CORAM : SMT. VASANTI A. NAIK &
MRS. SWAPNA JOSHI, JJ.

DATE : 04.07.2016.

By this writ petition, the petitioners seek a direction against the respondent Nos.1 to 4 to grant upgradation to the petitioners as Full Time Librarians from the date, as mentioned in the chart that is annexed at Annexure-A to the petition.

Shri A. B. Tikle, the learned counsel for the petitioners, states that the issue involved in this case was also involved in Writ Petition No.6630 of 2013 and others and Writ Petition No.1154 of 2015 and this Court has, by the orders, dated 28/01/2015 and 18/03/2015 respectively, partly allowed the writ petitions and directed the respondents to upgrade the petitioners therein as Full Time Librarians as on the dates, mentioned in the charts in those petitions. It is stated that a similar order would be necessary in this writ petition also, on parity, as the strength of students in the school, where the petitioners are working as Part Time Librarians, is more than one thousand.

Shri Ambarish Joshi, the learned Assistant Government Pleader appearing on behalf of the respondents, fairly admits on instructions from the respondent No.4 that the strength of students in the school in which the petitioners are working as Part Time Librarians is more than one thousand and the issue involved in this case is similar to the issue involved in other cases that were decided by the orders, dated 28/01/2015 and 18/03/2015, as referred to herein above.

Hence, for the reasons recorded in the orders, dated 28/01/2015 and 18/03/2015 in Writ Petition No.6630 of 2013 and others and Writ Petition No.1154 of 2015 respectively, we allow the writ petition. We hereby hold that the petitioners would be entitled to upgradation as Full Time Librarians from the dates in the chart at Annexure-A. On parity, we direct the respondents to consider that the benefits of upgradation would be available to the petitioners only notionally and actual monetary benefits should be paid from 01/07/2016.

Order accordingly. No costs.

JUDGE

JUDGE