

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.1401 OF 2016

Datta Gomaji Potre,
Age 41 years, Occ. Service,
R/o Ner Girija Hospital,
Vijaynagar, Bhoom Tq. Bhoom
Dist. Osmanabad.

...Petitioner

Versus

- 1) The State of Maharashtra,
Through Its Principal Secretary,
School Education and Sports Department,
Mantralaya, Mumbai -32.
- 2) The Director of School Education,
Central Building, Pune – 01.
- 3) The Deputy Director of School Education,
Aurangabad Region, Aurangabad,
Near Devgiri College, Station Road,
Aurangabad.
- 4) The Education Officer,
Zilla Parishad, Osmanabad.
- 5) Shri Gurudev Datta Prathmik Vidyamandir,
Bhoom Tq. Bhoom Dist. Osmanabad
Through its Headmaster.

...Respondents

Mr. A. C. Deshpande, Advocate for petitioner
Mr. S. W. Munde, AGP for respondents No.1 to 3/ State
Mr. S. N. Rodge, for respondent No.4

WITH
WRIT PETITION NO.1388 OF 2016

Tulshidas Bapurao Waghmode,
Age 53 years, Occ. Service,
R/o Samtanagar, Bhoom Tq. Bhoom
Dist. Osmanabad.

...Petitioner

Versus

- 1) The State of Maharashtra,
Through Its Principal Secretary,
School Education and Sports Department,
Mantralaya, Mumbai -32.
- 2) The Director of School Education,
Central Building, Pune – 01.
- 3) The Deputy Director of School Education,
Aurangabad Region, Aurangabad,
Near Devgiri College, Station Road,
Aurangabad.
- 4) The Education Officer,
Zilla Parishad, Osmanabad.
- 5) Shri Gurudev Datta Prathmik Vidyamandir,
Bhoom Tq. Bhoom Dist. Osmanabad
Through its Headmaster.

...Respondents

Mr. A. C. Deshpande, Advocate for petitioner
Mr. S. W. Munde, AGP for respondents No.1 to 3/ State
Mr. S. N. Rodge, for respondent No.4

WITH
WRIT PETITION NO.1394 OF 2016

Vilas Uddhavrao Tambe,
Age 50 years, Occ. Service,
R/o Gandhi Chowk, Bhoom Tq. Bhoom
Dist. Osmanabad.

...Petitioner

Versus

- 1) The State of Maharashtra,
Through Its Principal Secretary,
School Education and Sports Department,
Mantralaya, Mumbai -32.
- 2) The Director of School Education,
Central Building, Pune – 01.
- 3) The Deputy Director of School Education,
Aurangabad Region, Aurangabad,
Near Devgiri College, Station Road,
Aurangabad.
- 4) The Education Officer,
Zilla Parishad, Osmanabad.
- 5) Shri Gurudev Datta Prathmik Vidyamandir,
Bhoom Tq. Bhoom Dist. Osmanabad
Through its Headmaster.

...Respondents

Mr. A. C. Deshpande, Advocate for petitioner
Mr. S. W. Munde, AGP for respondents No.1 to 3/ State
Mr. S. N. Rodge, for respondent No.4

**CORAM : S. V. GANGAPURWALA &
SMT. VIBHA KANKANWADI. JJ.**
DATE : 31-10-2017

PER COURT :

1. Mr. A. C. Deshpande, learned counsel for petitioner states that, the petitioners are entitled for the pay scale of trained teacher. At the time of appointment, the petitioners possessed qualification of B.A., B.P. Ed. They have been given the benefit of trained teacher from the date when they acquired D.Ed. Qualification. The management is not forwarding the proposal to the Education Officer for determining the grant of trained teacher pay scale to the petitioners.

2. In the present matter we have issued notice before admission. Though the said notices were served, the respondent No.5 did not appear. Subsequently on 22nd September, 2017 we have issued notice for final disposal. In spite of service of notice for final disposal also, none appears for respondent No.5.

3. Considering fact that the proposal itself is not yet forwarded to the Education Officer, we pass the following order.

ORDER

1. The respondent No.5 shall forward the proposal with regard to the claim of the petitioner for the pay scale of the trained teacher from initial date of their appointment along with its notings about eligibility of the petitioners for such pay scales within a period of two (2) months.

2. On receipt of proposal, the Education Officer shall take decision upon it on its own merits in accordance with law, preferably within period of four (4) months from the date of receipt of proposal.
3. Writ petitions accordingly stand disposed of. No cost.

[SMT. VIBHA KANKANWADI]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

vjg/-.