

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

40 WRIT PETITION NO. 7640 OF 2018

SARASWATIBAI NATHARAO KHANDARE ALIAS SARASWATI
GOVINDRAO WAKALE ..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...
Mr. Bhagwan S. Kudale, Advocate for the Petitioner.
Mr. P. K. Lakhotia, AGP for Respondent-State.
...

**CORAM : S. V. GANGAPURWALA &
SUNIL K. KOTWAL, JJ.**

DATED : 09th AUGUST, 2018.

PER COURT:-

1. Though, notice of final disposal is issued and served upon the respondent nos.2 and 3, none appears for respondent nos.2 and 3.

2. Mr. Kudale, learned counsel submits that the petitioner is appointed as Assistant Teacher prior to 1972. As per the Government Resolution dated 4.10.1983 all those teachers appointed prior to 1972 and possessing SSC qualification are deemed to be trained teachers. This issue has been decided by this Court in W.P. No.1311/1997 with connected Writ Petitions vide judgment and order dated 13.2.2014.

3. The issue is no longer res-integra in view

of the judgment of the Division Bench of this Court in W.P.No.1311/1997 with connected Writ Petitions dated 13.2.2014. For the reasons recorded in the said judgment, we pass the following order:

ORDER

- a) The petitioner if is appointed prior to 1972 and was holding SSC qualification then this petitioner is entitled for the pay band of Rs.1200-2040 since 1986 and pay band of Rs.4500-7000 since 1996. The Respondents on satisfying themselves about the said fact and if they find the petitioner eligible, shall release the said benefits to the petitioner expeditiously and preferably within six (06) months.
- b) The Writ Petition is accordingly disposed of. No costs.

(SUNIL K. KOTWAL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE