

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

WRIT PETITION NO. 14180 OF 2017

Vitthalrao Yadavrao Rodge and ors.

.. Petitioners

Versus

The State of Maharashtra and ors.

.. Respondents

Mr B.S. Kudale, Advocat for petitioners
Mr P.S. Patil, A.G.P. for respondents no.1 and 2
Mr Vivek Bhavthankar, Advocate for respondent no.3
Respondent no.4 served

**CORAM : S.V. GANGAPURWALA &
A.M. DHAVAL, JJ**

DATE : 23rd February 2018

PER COURT

1. We have heard Mr Kudale, learned Counsel for petitioners. Mr Bhavthankar, learned Counsel for respondents no.3 and 4 seeks time to file reply.

2. In fact, the issue raised in the present writ petition is no longer *res integra* and is covered by the various orders of this Court.

3. Mr Kudale, learned Counsel submits that the petitioners are appointed as Assistant Teachers prior to 1972. As per the Government Resolution dated 4.10.1983, all those teachers appointed prior to 1972 and possess SCC qualification are deemed to be trained teachers. This issue has been decided by this Court in W.P.No.1311/2017 with connected Writ Petitions vide judgment and order dated 13.2.2014.

4. Mr Bhavthankar, learned counsel submits that the Zilla Parishad has sought necessary clarification from the Government in that regard.

5. The issue is no longer res-integra in view of the judgment of the Division Bench of this Court in W.P.No.1311/2017 with connected Writ Petition s dated 13.2.2014. For the reasons recorded in the said judgment, we pass the following order:

a) The petitioners if are appointed prior to 1972 and were holding SCC qualification then those petitioners are 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 petitioners eligible, shall release the said benefits to the petitioners expeditiously and preferably within six (6) months.

6. Writ Petition is accordingly disposed of. No costs.

(A.M. DHAVAL, J.)

(S.V. GANGAPURWALA, J.)

vvr