

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION (L) NO.3189 OF 2017

**Mumbai Mahanagarpalika Shikshak Sena
and others**

..Petitioners

Versus

**Municipal Commissioner,
The Municipal Corporation of
Greater Mumbai and others**

..Respondents

**Mr. V. S. Tadke a/w Ms. Trupti Goswami i/by Mr. Mohan Babu
Gawade, Advocate for the Petitioner.**

**Mr. Javed R. Shaikh - "Panel-A" Advocate for Respondent Nos.1 to7 -
MCGM.**

CORAM : B. R. GAVAI &

SMT. BHARATI H. DANGRE, JJ.

DATE : 23rd APRIL, 2018

ORAL JUDGMENT (Per B. R. Gavai, J)

1] Rule. Rule made returnable forthwith. Heard by consent.

2] The Petitioners have approached this Court praying for granting them the benefit of Resolution No.1034, dated 9th March 2011 and the Circular dated 3rd June 2011. Vide the said Resolution and Circular, it is provided that such of the teachers, who have obtained Post Graduation Degree in Marathi would be entitled to two additional increments. In the affidavit in reply filed on behalf of Respondent – Corporation, it is stated thus :-

“b) I say that the house of these Respondents i.e. Municipal Corporation has passed a Resolution on 12.01.2018 under Resolution No.1165 that the employee who acquired Post Graduation Degree upto the Academic Year 2017-2018, they will be benefited with the additional two increments in their payment under MCGM's Resolution No.1034 dated 09.03.2011. Hereto annexed and marked Exhibit-A is the copy of Resolution dated 12.01.2018.”

3] In that view of the matter, it is clear that the Respondent – Corporation itself has admitted the claim of the Petitioner Nos.2 to 4. In the result, the Petition is allowed. The Respondents are directed to grant two increments to the Petitioner Nos.2 to 4 in accordance with their own Circular and Resolution. The said be granted to the Petitioner Nos.2 to 4 within a period of two weeks from today. Any consequential benefits shall be paid to the Petitioner Nos.2 to 4 within a period of three months from today. Rule is made absolute in the aforesaid terms. The Writ Petition is disposed of.

4] Needless to state that the employees of the Respondent – Corporation, who are similarly situated as Petitioner Nos.2 to 4 would also be entitled to the said benefit.

[SMT. BHARATI H. DANGRE, J.]

[B. R. GAVAI, J.]