

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

944 WRIT PETITION NO.8640 OF 2019

**BHIKA KACHARUJI AUCHARMAL AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioners : Mr.Sonwane Mahesh R.
AGP for Respondents: Mr. Mr. K.N. Lokhande

...

WITH

949 WRIT PETITION NO.8645 OF 2019

**BHAGINATH GANGARAM NALAWADE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioners : Mr. Sonwane Mahesh R.
AGP for Respondents: Mr.S.N. Morampalle
Advocate for Respondent Nos. 3 & 4 : Mr.Ajay Pawar h/f P.R.
Nangare

**CORAM : S.V.GANGAPURWALA &
MANGESH S. PATIL, JJ.**

DATE : 17/07/2019

PER COURT :

1. The petitioner seeks pay scale of deemed trained teacher from 01.01.1986 in the pay band of Rs. 1200-2040 and from 01.04.1996 in the pay band of Rs. 4500-7000. The petitioner has retired in the year 2002 and the petition is filed in the year 2018.

2. In that case, the petitioner if appointed prior to 1972 and had qualified of SSC, then the petitioner is deemed to be a trained teacher

and the Government Resolution dated 04.10.1983 applies to the petitioner. However, we are not inclined to grant the actual monetary benefits to the petitioner for the said period.

3. The Zilla Parishad shall verify the factum of the appointment of the petitioner prior to 1972 and the petitioner possessing SCC qualification and after verification, and then notionally calculate the pay scale as per the said Government Resolution. Even if the respondents arrive at the conclusion that petitioner is covered as per the Government Resolution dated 04.10.1983, however, petitioner will not be entitled to actual monetary benefits, but the pensionary benefits shall be given to the petitioner as per the pay scale of a trained teacher as per the Government Resolution dated 04.10.1983 after verifying the facts.

4. The writ petition is disposed of. No costs.

(MANGESH S. PATIL,J.)

(S.V.GANGAPURWALA,J.)

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