

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10235 OF 2018

GANGARAM NARAYANRAO GAWANDE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Kudale Bhagwan S.
AGP for Respondent No. 1 : Mrs. V. N. Patil Jadhav
Advocate for Respondent No. 2 : Mr. P. P. Dama

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CORAM: S. V. GANGAPURWALA &
A. M. DHAVALA, JJ.

DATE: 11th FEBRUARY, 2019

PER COURT :

1. The petitioner claims benefit of a deemed trained teacher as per Government Resolution dated 04.10.1983. The petitioner claims to possess SSC qualification and was appointed prior to the year - 1972.

2. The petitioner certainly would be entitled to be considered as deemed trained teacher as per Government Resolution dated 04.10.1983 and the pay scale of the petitioner has to be considered as applicable to the deemed trained primary teacher

i.e. in the pay scale of 1200 - 2040 till 1986 and in the pay scale of 4500 - 7000 after 1986. However the petitioner has approached after long slumber, in view of that we are not inclined to actually grant monetary benefit till the date of retirement. However, the petitioner's salary shall be notionally calculated as per pay scale mentioned above. The respondent shall pay the retirement benefit to the petitioner considering the pay scale of a deemed trained primary teacher. The arrears of pension since the year - 2004 shall be paid to the petitioner as per the pay scale of a deemed trained teacher within a period of six (06) months from today and the regular pension shall be paid as per the pension that would be calculated considering the pay scale of a deemed trained primary teacher.

3. Writ Petition accordingly stands dispose of.
No costs.

[A. M. DHAVAL, J.] [S. V. GANGAPURWALA, J.]
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