

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 12808 OF 2018

DILIP BHAUSAHEB BARDE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner :
Mr. Shaikh Mazhar A. Jahagirdar
AGP for Respondents No. 1 to 3 : Mr. S. K. Tambe
Respondent No. 4 – served (*Absent*)

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

DATE: 28th FEBRUARY, 2019

PER COURT :

1. Mr. Shaikh Mazhar, learned Advocate for the petitioner submits that the petitioner has acquired the qualification of B.Ed. The proposal was submitted by the management for granting trained teacher pay scale. The same is rejected only on the ground that petitioner has not secured D.Ed. qualification.

2. The learned Assistant Government Pleader submits that earlier approval was granted on the condition that the petitioner completes D.Ed. within three years. The petitioner did not complete D.Ed. within the stipulated time, instead

in the year - 2015 completed B.Ed.

3. Though, the management is served none appears for the management.

4. A person possessing B.Ed. qualification can be considered as trained provided he is within the 25% post available, as it is submitted, the petitioner is teaching to the students of 5th to 7th standard.

5. The Education Officer shall consider whether the post for B.Ed. is admissible *qua* the petitioner and if he comes to the conclusion that the post of B.Ed. is admissible to the petitioner then would consider grant of trained teacher pay scale to the petitioner. The said proposal shall be decided afresh, expeditiously and preferably within a period of four (04) months from today.

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

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

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