

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

WRIT PETITION NO.11599 OF 2019

Suresh Bharat Gulve and ors. .. Petitioners

Versus

The State of Maharashtra and ors. .. Respondents

Mr S.B. Bhosale, Advocate for petitioners
Mr A.B. Girase, G.P. for respondents no.1 to 5
Mr R.D. Raut, Advocate for respondents no.6 to 8

**CORAM : S.V. GANGAPURWALA AND
ANIL S. KILOR, JJ.**

DATE : 21.09.2019

ORAL ORDER :

1. We have heard learned counsel for the petitioners, learned G.P. and learned Counsel appearing for respondents no.6 to 8.
2. Learned Counsel for the petitioners submits that all the petitioners in this writ petition are the District awardee teachers prior to 4.9.2018.
3. For the first time, additional increment was given to the District awardee teachers under Government Resolution dated 12.12.2000. Pursuant thereto, additional increments as per the said Government Resolution were given.
4. There are other categories of awardee teachers such as State awardee teachers, National awardee teachers and the award being given for excellent/outstanding work. In the present case, we are concerned only with the District awardee teachers.

5. Upon perusal of various Government Resolutions placed on record, it does not appear that prior to the Government Resolution dated 4.9.2018, there was any Government Resolution taking away benefit of the additional increment given to District awardee teachers. Of course, now, no District awardee teacher would be entitled for the benefit in view of Government Resolution dated 4.9.2018. However, Government Resolution dated 4.9.2018 cannot be given retrospective effect.

6. Government Resolution relied by the learned Counsel for Zilla Parishad viz. Government Resolution dated 27.2.2019 is general in nature. It only states that the committee formed by the Government has made recommendations and the same is to be accepted with certain modifications. Under the Government Resolution dated 24.8.2017, Government has taken decision that the benefit of advance increment would not be available to those who were granted certificate of excellent work. It is under the Government Resolution dated 4.9.2018, now the benefit of additional increment to the District awardee teacher cannot be given.

7. However, all those who were granted certificate of District awardee teacher prior to 4.9.2018 cannot be denied the said benefit of additional increment.

8. In light of the above, we pass the following order.

9. The respondents/Zilla Parishads after confirming themselves of the petitioners being District awardee teachers and awarded certificate prior to 4.9.2018 shall individually consider the case of the petitioners for

additional increments as is laid down under the Government Resolution dated 12.12.2000. The same shall be considered on its own merits, expeditiously and preferably within a period of six months from today.

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

(ANIL S. KILOR, J.)

(S.V. GANGAPURWALA, J.)

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