

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

WRIT PETITION NO. 14574 OF 2019

Malti Madhavrao Suryawanshi
(Malti Raghunath Jagtap) and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Sandeep B. Sontakke, Advocate for Petitioners.
Shri P. S. Patil, Addl.G.P. for the Respondent No. 1.

**CORAM : S. V. GANGAPURWALA AND
AVINASH G. GHAROTE, JJ.
DATE : 04TH DECEMBER, 2019.**

FINAL ORDER :

. We have heard learned counsel for petitioners and the learned Additional Government Pleader for the respondent No. 1.

2. Learned counsel for petitioners submits that all the petitioners in this petition are the District awardee teachers prior to 04/09/2018.

3. For the first time additional increments were 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 cases, 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 04/09/2018, 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 the Government Resolution dated 04/09/2018. However, Government Resolution dated 04/09/2018 can not be given retrospective effect.

6. The Government Resolution dated 27/02/2009 is general in nature. It only states that the committee formed by the Government has made recommendation and the same is to be accepted with certain modifications. Under the Government Resolution dated 24/08/2017, Government has taken decision that the benefit of advance increment would not be available to those who were granted certificate to excellent work. It is under the Government Resolution dated 04/09/2018 now the benefit of additional increment to the District awardee teacher can not be given.

7. However, all those who were granted certificate of District

awardee teacher prior to 04/09/2018 can not be denied the said benefit of additional increment.

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

ORDER

The respondent / Zilla Parishad after confirming themselves of the petitioners being District awardee teachers and awarded certificate prior to 04/09/2018 shall individually consider the case of the petitioners for additional increment as is laid down under the Government Resolution dated 12/12/2000. The same shall be considered on its own merits expeditiously preferably within a period of six months.

9. In view of the above the writ petition is disposed of. No costs.

[AVINASH G. GHAROTE, J.] [S. V. GANGAPURWALA, J.]

bsb/Dec. 19