

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

923. WRIT PETITION NO. 14331 OF 2019

Dhananjay S/o Marutirao Jadhav & another

...Petitioners

VERSUS

The State of Maharashtra and others

...Respondents

Mr. S.B. Sontakke, Advocate for petitioners

Mr. S.G. Sangle, Asstt. Govt. Pleader for respondent No.1

Mr. P.R. Tandale, Advocate for respondents No. 2 & 3

CORAM : S.V. GANGAPURWALA

AND

AVINASH G. GHAROTE, JJ.

DATE : 27th November, 2019

PER COURT :

1. We have heard the learned Counsel for petitioners, the learned Asstt. Govt. Pleader and the learned Counsel for Zilla Parishad.

2. The learned Counsel for the petitioners submits that both the petitioners are the District Awardee Teachers prior to 04/09/2018.

3. For the first time, additional increment was given to the District Awardee Teachers under the Government Resolution dated 12th December, 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 4th September 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 4th September 2018. However, the Government Resolution dated 4th September 2018 can not be given retrospective effect.

6. Government Resolution relied by the learned Counsel for Zilla Parishad viz. Government Resolution dated 27th February 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 24th August 2017, the 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 4th September 2018 now the benefit of additional increment to the District Awardee Teacher can not be given.

7. However, all those who were granted the certificate of District Awardee Teacher prior to 4th September 2018 can not be denied the said benefit of additional increment.

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

ORDER

The respondents/Zilla Parishad after confirming themselves of the petitioners being the District Awardee Teachers and awarded certificate prior to 4th September 2018 shall individually consider the case of the petitioners for additional increment, as is laid down under the Government Resolution dated 12th December 2000. The same shall be considered on its own merits expeditiously, preferably within a period of six months.

9. Writ Petition is disposed of. No costs.

(AVINASH G. GHAROTE)
JUDGE

Madkar

(S.V. GANGAPURWALA)
JUDGE