

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

WRIT PETITION NO. 14975 OF 2019

Mahadu Ramji Divekar and others

.. Petitioners

Versus

The State of Maharashtra and others

.. Respondents

Mr. Mahesh R. Sonwane, Advocate for Petitioners.

Mr. S. N. Morampalle, AGP for Respondent Nos. 1 and 2.

Mr. P. R. Nangare, Advocate for Respondent Nos. 3 and 4.

**CORAM : S. V. GANGAPURWALA &
AVINASH G. GHAROTE, JJ.**

DATED : 12th DECEMBER, 2019.

PER COURT:-

. The petitioners seek pay scale of deemed trained teachers from 01.01.1986 in the pay band of Rs. 1200-2040 and from 01.04.1996 in the pay band of Rs. 4500-7000. The petitioners have retired in the year 1999, 1996, 2004 and 2002 respectively and the petition is filed in the year 2019.

2. In that case, the petitioners, if are appointed prior to 1972 and had qualification of SCC, then the petitioners are deemed to be trained teachers and the Government Resolution dated 04.10.1983 applies to the petitioners. However, we are not inclined to grant the actual monetary benefits to the petitioners for the said period.

3. The Zilla Parishad shall verify the factum of the appointment of the petitioners prior to 1972 and the petitioners possessing SCC qualification and after verification, and then notionally calculate the pay scale as per the said Government Resolution. Even if the respondents arrive at the conclusion that petitioners are covered as per the Government Resolution dated 04.10.1983, however, petitioners will not be entitled to actual monetary benefits, but the pensionary benefits shall be given to the petitioners as per the pay scale of a trained teacher as per the Government Resolution dated 04.10.1983 after verifying the facts.

4. The writ petition is disposed of. No costs.

(AVINASH G. GHAROTE)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

P.S.B.