

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

22 WRIT PETITION NO.181 OF 2020

**SHANTARAM POPAL SHELKE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Petitioner : Mr. Bhale Kavita S.
AGP for Respondent No. 1 : Mr. S.G. Karlekar.
Advocate for Respondents No. 2 & 3 : Mrs. Suwarna Zaware.

**CORAM : S. V. GANGAPURWALA AND
MANGESH S. PATIL, JJ.**

DATE : 07/01/2020

PER COURT :

We have heard learned counsel for petitioner, learned A.G.P and Mrs. Zaware, learned counsel for respondent Nos. 2 and 3.

2. The learned counsel for petitioner submits that the petitioner is the District Awardee Teacher prior to 04.09.2018.

3. For the first time additional increment was given to the District Awardee teachers under Government Resolution dated 12/12/2000. Pursuant thereto, additional increment as per the said Govt. Resolution was 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 teacher.

5. Upon perusal of various Govt. Resolutions placed on record, it does not appear that prior to the Govt. Resolution dated 04.09.2018, there was any Govt. 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 Govt. Resolution dated 04.09.2018. However, Govt. Resolution dated 04.09.2018 can not be given retrospective effect.

6. Govt. Resolution relied by the learned counsel for the respondent/Zilla Parishad viz. Govt. Resolution dated 27.02.2009 is general in nature. It only states that the committee formed by the Govt. has made recommendation and the same is to be accepted with certain modifications. Under the Govt. 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 of excellent work. It is under the Govt. Resolution dated 04.09.2018 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 04/09/2018 cannot be denied the said benefit of additional increment.

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

ORDER

The respondent Nos. 2 and 3/Zilla Parishad after confirming themselves of the petitioner being District Awardee Teacher and awarded certificate prior to 04/09/2018 shall individually consider the case of the petitioner for additional increment as is laid down under the Govt. Resolution dated 12/12/2000. The same shall be considered on its own merits expeditiously preferably within a period of six (06) months from today.

9. The writ petition is disposed of accordingly. No costs.

(MANGESH S. PATIL, J.)

(S. V. GANGAPURWALA, J.)

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