

JPP

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE CIVIL JURISDICTION***

WRIT PETITION NO. 11718 OF 2018

Chintaman S/o. Kaluram Vekhande & Ors. ... Petitioners
V/s.
The State of Maharashtra and Ors. ... Respondents.

Mr. S.K. Mathpati for the Petitioners
Mr. Karan Thorat, AGP for Respondent Nos. 1 to 8
Mr. S.P. Thorat for Respondent Nos. 9 and 10

***CORAM : NITIN JAMDAR &
M.S. KARNIK, JJ.***

DATE : 5 FEBRUARY 2020.

P.C. :-

Heard learned Counsel for the parties.

2. The learned Counsel for the Petitioners has placed on record an order passed by the Aurangabad Bench of this Court in the bunch of Writ Petitions on 25 January 2019. He states that the identical questions were raised and the Division Bench has directed the Zilla Parishad to ascertain certain position and decide the case of the Petitioners – teachers individually. A reference is made to the Government Resolution dated 12 December 2000.

3. The learned Counsel for the Respondent – Zilla Parishad

states that the Resolution dated 12 December 2000 is not a mandatory direction but is mere recommendation. This Resolution was considered by the Aurangabad Bench in the order dated 25 January 2019 and the Aurangabad Bench has passed the following operative 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 Govt. Resolution dated 12/12/2000. The same shall be considered on its merits expeditiously preferably within a period of six months.

Writ Petition disposed of accordingly.”

4. In the circumstances, we direct the Respondent – Zilla Parishad, after confirming itself of the Petitioners being District Awardees Teachers and awarded certificate prior to 4 September 2018 shall individually consider the case of the Petitioners for additional increment in the light of the decision rendered by the Aurangabad Bench on 25 January 2019. The decision in each case will be taken on its own merits preferably within six weeks from today.

5. The Writ Petition is accordingly disposed of.

M.S. KARNIK, J.

NITIN JAMDAR, J.

Jyoti P.
Pawar

Digitally signed
by Jyoti P. Pawar
Date: 2020.02.11
13:29:07 +0530