

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

**WRIT PETITION NO.1483/2019**

Ashok Vitthalrao Kale

Vs.

State of Maharashtra and others

.....  
Office Notes, Office Memoranda of  
Coram, appearances, Court's orders  
of directions and Registrar's orders

Court's or Judge's order

.....  
Shri A.B. Tikle, Advocate for the petitioner.

Shri N.R. Patil, AGP for respondent Nos. 1 to 4.

CORAM : **R.K. DESHPANDE &  
AMIT B. BORKAR, JJ.**

DATED : **24<sup>th</sup> January, 2020.**

On 22.02.2019, this Court had passed an order as  
under:

*“Heard.*

*Issue Notice for final disposal of the  
matter, returnable on 22.04.2019. Learned  
A.G.P waives notice for respondent nos. 1 to  
4.*

*We direct respondent no.4 to verify the  
position of students in the school, as is shown  
in Annexures-1 and 2 of the petition, and to  
file an affidavit to that effect.”*

In response to the aforesaid order, the respondent  
No.4 – the Education Officer(Secondary), Zilla Parishad,  
Wardha has filed an affidavit stating in paragraph no. (i)

as under:

“(i) The student strength as shown in Annexure-1 (page 17) and Annexure-2 (page 18) is correct as per the actual student strength (Sanch Manyata) of the relevant years in the said school i.e. of academic years 1996-1997 to 1997-1998, of said school in which the petitioner worked and the same is also correct for academic years 1996-97 to 2006-2007 as given in Annexure-2 i.e. in which school the petitioner later worked. Though the petitioner claimed approval for he be treated as Full Time Librarian from 1.8.1997 as per Chiplunkar committee recommendation instead of 1.4.2006 but same was not given by the Director Education, Pune.”

In view of the above, the strength of students in the school from 1996-1997 to 2006-2007 was more than one thousand. The petitioner would be obviously entitled to upgradation as a Full Time Librarian and would be entitled to benefits of notional pay fixation, time bound promotion and actual increase in the pension.

The petition stands disposed of.

**JUDGE**

**JUDGE**