

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

910 WRIT PETITION NO.2178 OF 2021

SUBHASH RAMJI SHINDE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners: Mr. S K Mathpati
AGP for Respondents/State: Mr. K. N. Lokhande

Advocate for Respondents No. 4&5:

Mr. S. R. Yadav Lonikar

...

922 WRIT PETITION NO.2524 OF 2021

HARIBHAU ANNASAHAB HARKAL AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners: Mr. Mathpati Shivkumar K
AGP for Respondents/State: Mr. S. G. Karlekar

Advocate for Respondents No. 4&5:

Mr. S. R. Yadav Lonikar

...

926 WRIT PETITION NO.2532 OF 2021

PANDIT JANARDHAN MUNDE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners: Mr. Mathpati Shivkumar K
AGP for Respondents/State: Mr. S. K. Tambe

Advocate for Respondents No. 6&7:

Mr. P. D. Suryawanshi

...

938 WRIT PETITION NO.2544 OF 2021

VIJAYKUMAR KUNDLIK AMTE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner: Mr. Mathpati Shivkumar K

AGP for Respondents/State: Mr. K. N. Lokhande
 Advocate for Respondents No. 6&7:
 Mr. P. D. Suryawanshi

...

939 WRIT PETITION NO.2545 OF 2021

GAUTAM KISHANRAO JADHAV AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners: Mr. Mathpati Shivkumar K
 AGP for Respondents/State: Mr. S. R. Yadav Lonikar
 Advocate for Respondents No. 6&7:
 Mr. P. D. Suryawanshi

...

947 WRIT PETITION NO.2553 OF 2021

BALAJI MADHAVRAO SONTAKKE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners: Mr. Mathpati Shivkumar K
 AGP for Respondents/State: Mrs. V. S. Chaudhari
 Advocate for Respondents No. 6&7:
 Mr. P. R. Tandale

...

948 WRIT PETITION NO.2554 OF 2021

VASANT VYANKATRAO GHOGRE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners: Mr. Mathpati Shivkumar K
 AGP for Respondents/State: Ms. P. V. Diggikar
 Advocate for Respondents No. 4&5:
 Mr. S. R. Yadav Lonikar

...

957 WRIT PETITION NO.2563 OF 2021

PANDHRINATH GIRDHAR PATIL AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners: Mr. Mathpati Shivkumar K

AGP for Respondents/State: Ms. P. V. Diggikar
Advocate for Respondents No. 6&7:
Mr. Avinash Aghav

...

959 WRIT PETITION NO.2565 OF 2021
GANPAT BHIKAJI PADMANE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners: Mr. Mathpati Shivkumar K
AGP for Respondents/State: Mr. A. R. Kale
Advocate for Respondents No. 4&5:
Mr. S. B. Ghute

...

984 WRIT PETITION NO.3811 OF 2020
DASHRATH BHAURAO DHUMAL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner: Mr. Mathpati Shivkumar K
AGP for Respondents/State: Mr. P. K. Lakhotiya
Advocate for Respondents No. 7&8:
Mr. P. R. Tandale

...

**CORAM: S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.**

DATE: 09th FEBRUARY, 2021

PER COURT:

1. We have heard learned Counsel for petitioners, learned A.G.P. and learned Counsel for respective Zilla Parishads.

2. Learned Counsel for the petitioners submits that all the petitioners in these writ petitions 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 Govt. Resolution dated 12/12/2000. Pursuant thereto, additional increments as per the said Govt. 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 cases, we are concerned only with the District awardee teachers.

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 Zilla Parishads viz. Govt. Resolution dated 27/02/2009 is general in nature. It only state 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, Govt. 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 can not be given.

7. However, all those who were granted certificate of District awardee teacher prior to

04/09/2018 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 Parishads 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 own merits, expeditiously and preferably within a period of six (06) months.

9. Writ Petitions are accordingly disposed of.

No costs.

[SHRIKANT D. KULKARNI, J.]

[S. V. GANGAPURWALA, J.]

marathe