

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

923 WRIT PETITION NO.9323 OF 2021
JANULAL BHANUDAS SONAWANE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

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

...

AND

..

924 WRIT PETITION NO.9324 OF 2021
SURYAKANT RAMCHANDRA KALE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

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

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AND

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925 WRIT PETITION NO.9325 OF 2021
SARZERAO APPARAO DISALE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

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

...

AND

...

926 WRIT PETITION NO.9326 OF 2021
MANGAL GANPATRAO KOTALWAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners: Mr. Mathpati Shivkumar K
AGP for Respondents/State: Mr. S. W. Mundhe
Advocate for Respondents No. 5 & 6:
Mr. S. R. Yadav-Lonikar

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AND

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927 WRIT PETITION NO.9327 OF 2021
DNYANOBA NANASAHEB SHELKE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners: Mr. Mathpati Shivkumar K
AGP for Respondents/State: Mr. S. W. Mundhe
Advocate for Respondents No. 5 & 6:
Mr. P. D. Suryawanshi

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AND

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928 WRIT PETITION NO.9328 OF 2021
KALYAN DEVIDASRAO BOTHE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

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

...

AND

...

929 WRIT PETITION NO.9329 OF 2021
ABDUL RAHEMAN SHAIKH ABBAS AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners: Mr. Mathpati Shivkumar K

AGP for Respondents/State: Mr. S. W. Mundhe
Advocate for Respondents No. 5 & 6:
Mrs. Vaishali Patil

...

AND

...

930 WRIT PETITION NO.9330 OF 2021
VRUSHALI UMAKANT BIDKAR AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

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

...

AND

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931 WRIT PETITION NO.9331 OF 2021
RAMKRISHNA SONAJI MUNDE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

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

...

AND

...

960 WRIT PETITION NO.9367 OF 2021
NARAYAN DATTARAO TILKARI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners: Mr. Mathpati Shivkumar K
AGP for Respondents/State: Mr. S. W. Mundhe
Advocate for Respondents No. 6 & 7:
Mr. Suhas B. Ghute

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**CORAM: S. V. GANGAPURWALA &
R. N. LADDHA, JJ.**

DATE: 25th AUGUST, 2021

PER COURT:

1. At the request of learned Counsel for the petitioner in Writ Petition No. 9328 of 2021, leave to correct.

2. We have heard the learned Counsel for the petitioners, the learned A.G.Ps. and the learned Counsel for the respective Zilla Parishads.

3. The learned Counsel for the petitioners submits that all the petitioners in these writ petitions are the District awardee teachers prior to 04.09.2018.

4. For the first time additional increment was given to the District awardee teachers under Government Resolution dated 12.12.2000. Pursuant thereto, additional increments as per the said Government Resolution were given.

5. 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.

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

7. Government Resolution relied by the learned Counsel for the respective Zilla Parishads Viz. Government Resolution dated 27.02.2009 is general in nature. It only states that the committee

formed by the Government has made recommendation and the same is to be accepted with certain modifications. Under the Government 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 Government Resolution dated 04.09.2018 now the benefit of additional increment to the District awardee teacher can not be given.

8. 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.

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

10. The respondents/Zill 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 Government Resolution dated 12.12.2000. The same shall be considered on it's own merits, expeditiously, preferably within a period of six (06) months.

11. Writ Petitions are accordingly disposed of.
No costs.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]

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