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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.182 OF 2018

Mr. Sunil Vasant Sutar & Ors.

...Petitioners

Versus

The State of Maharashtra & Ors.

...Respondents

Mr. S.S. Pakale, with Dnyaneshwar B. Kale for the Petitioners.

Mr. Sameer Tambekar, for Respondent Nos.3 and 7.

Mrs. P.J. Gavhane, AGP for State.

Mrs. Asha Dattatray Ubale, Education Officer (Primary), Zilla Parishad Kolhapur.

CORAM : K.K. TATED &
R.I. CHAGLA, JJ.

DATE : 20 January 2021

ORDER :

1. Heard learned Counsel for parties.
2. Rule, Rule made returnable forthwith by consent of both the parties.
3. By this Writ Petition under Article 226 of the Constitution of India, the Petitioners are seeking an order and direction against the Respondent Authority to release one additional

increment as provided in circular dated 12th December, 2000.

He submits that as per the said circular Respondent No.2 has to decide grant of one increment in favour of those teachers who have been awarded, best teachers award.

4. Learned Counsel appearing for the Petitioners has placed on record the order passed by Aurangabad Bench in bunch of Writ Petitions on 25th January, 2019. He states that identical questions were raised by Division Bench has directed the Zilla Parishad to ascertain the position and decide the case of the Petitioners - teachers individually. A reference is made to the Government circular dated 12th December, 2000.

5. Mr. Sameer Tambekar learned Counsel appearing on behalf of the Respondent Nos.3 and 7 after taking instructions from concerned officer Mrs. Asha Dattatray Ubale, Education Officer, (Primary), Z.P. Kolhapur who is present in Court makes a statement that they will consider each and every case of the Petitioners and decide the same on its own merits as per the earlier orders passed by this Court. The orders are placed on record by the Petitioner.

6. In view of these facts and statement made by the learned

Counsel appearing on behalf of the Respondent Nos.3 and 7 – Zilla Parishad, we direct the Zilla Parishad after confirming itself of the Petitioners being District Awardees Teacher and awarded certificate prior to 4th September, 2018 shall individually consider the case of the Petitioners for providing additional increment in the light of the decision rendered by Aurangabad Bench on 25th January, 2019.

7. The decision, in each case will be taken on its own merits and preferably within four months from today.

5. Rule made absolute accordingly. No order as to cost.

[R.I. CHAGLA J.]

[K.K. TATED, J.]