

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4828 OF 2021

Bhaskar s/o Ranganath Ghavate

Petitioner

Versus

The State of Maharashtra & others

Respondents

Mr. E. S. Murge, advocate for the Petitioner.

Mr. K. N. Lokhande, AGP for Respondent No.1.

Mr. S. S. Renge, advocate for Respondent Nos. 2 & 3.

CORAM : C. V. BHADANG AND
SANDIPKUMAR C. MORE, JJ.

DATE : 15 July 2022.

PC :

By this petition, the petitioner is seeking a direction to Respondent Nos. 2 and 3 to grant one additional increment to the petitioner on account of the fact that the petitioner is a District Awardee teacher, in view of the Government Circular dated 12.12.2000.

2 The issue may not detain us long, as it is covered by the decision of this Court in Writ Petition No.8818 of 2018

(Principal Seat), decided on 10.03.2021, as also the order dated 04.07.2019 in Writ Petition No. 8140 of 2019 (Aurangabad Bench).

3 We have heard learned Counsel for the parties. It is undisputed that by the Government Circular dated 12.12.2000, additional increment was made admissible to such of the teachers who were district awardees. The said benefit was withdrawn by the Government by Government Circular dated 04.09.2018. This Court has consistently held that the Government Circular dated 04.09.2018 cannot apply retrospectively and, therefore, those district awardee teachers, who have obtained such awards prior to 04.09.2018, will continue to have the benefit of an additional increment. The decision in Writ Petition No. 8818 of 2018 was carried to the Supreme Court in Petition for Special Leave to Appeal (C) No. 19730 of 2021. The Supreme Court has disposed of the same on 13.04.2022 in the following terms:

“It is not in dispute that, prior to 04.09.2018, the District Awardees were entitled to get the additional increment. It was only pursuant to the Circular dated 04.09.2018, the District Awardees were not entitled to get the additional increment. Therefore, for the period prior to 04.09.2018, the District Awardees were entitled to get the additional increment and, therefore, no error has been committed by the High Court in

directing the benefit of additional increment to the District Awardees for the period prior to 04.09.2018.

We are in complete agreement with the view taken by the High Court.

The Special Leave Petition stands dismissed.

Pending applications stand disposed of.”

4 In this case, the petitioner claims to have obtained district award on 05.09.2008. In that view of the matter, the petition is allowed. The Respondent-*Zilla Parishad*, after confirming/verifying that the petitioner is a district awardee teacher prior to 04.09.2018, shall grant additional increment, as admissible by Government Circular dated 12.12.2000. The exercise shall be undertaken and completed as expeditiously as possible and preferably within a period of three months from today.

5 Writ Petition is disposed of in the aforesaid terms.

SANDIPKUMAR C. MORE, J.

C. V. BHADANG, J.

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