

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

975 WRIT PETITION NO.9983 OF 2022

**SHILA RAMESH BUBNE AND ANOTHER
VERSUS
THE STATE MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS**

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Advocate for Petitioners : Mr. E.S. Murge
AGP for Respondent/State : Mr. P.K. Lakhotiya
Advocate for Respondent Nos. 2 & 3 : Mr. B.B. Bhise

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**CORAM : RAVINDRA V. GHUGE &
ARUN R. PEDNEKER, JJ.**

DATED : SEPTEMBER 29th, 2022.

PER COURT :

1. We have heard the learned counsel for the petitioners, the learned Assistant Government Pleader and the learned counsel for the Ahmednagar Zilla Parishad.
2. The learned counsel for the petitioners submits that all of them are the District awardee teachers prior to 04/09/2018. For the first time additional increment was given to the District awardee teachers under the Govt. Resolution dated 12/12/2000. Pursuant thereto, additional increments as per the said Govt. Resolution were given.
3. 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 case, we are concerned only with the District awardee teachers.

4. 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 the benefit of the additional increment given to the District awardee teachers. Of – course, henceforth, no District awardee teacher would be entitled for the benefit in view of the Govt. Resolution dated 04/09/2018. However, the Govt. Resolution dated 04/09/2018 can not be given retrospective effect.

5. The Govt. Resolution dated 27/2/2009, relied upon by the learned counsel for the respondent/Zilla Parishad, is general in nature. It only states that the committee formed by the Govt. has made a recommendation and the same is to be accepted with certain modifications. Under the Govt. Resolution dated 24/08/2017, Govt. has taken a 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, that the benefit of additional increment to the District awardee teacher can not be given, henceforth. 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.

6. In light of the above, this petition is partly allowed. The respondent Nos. 2 and 3 / Zilla Parishad, after verifying that the petitioners are District awardee teachers and are awarded certificate prior to 04/09/2018, shall consider the case of each petitioner for

additional increment as is laid down under the Govt. Resolution dated 12/12/2000. The same shall be considered on it's own merits expeditiously and preferably within a period of six (06) months from today.

[ARUN R. PEDNEKER J.]

[RAVINDRA V. GHUGE, J.]

SSC/