

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 11931 OF 2018

Navaj Yusuf Shaikh

...Petitioner

vs.

The State of Maharashtra
Through Secretary and Ors.

...Respondents

Mr. Balaji Shinde - Advocate for the Petitioner

Mr. V. M. Mali - AGP for the Respondent-State

Vivek Rane i/by Ashwin Kapadnis – Advocate for the Respondent Nos. 3 and 4.

CORAM :

**S.V. GANGAPURWALA AND
S. M. MODAK, JJ.**

DATE :

27th JUNE, 2022

P. C. :-

1. The Petitioner is appointed as Shikshan Sevak in the year 2003. At the relevant time, the Petitioner does not possess D.Ed. Qualification. Learned counsel submits that subsequently Petitioner has secured D.Ed. qualification and he is being paid as trained Primary teacher after acquiring D.Ed. qualification.

2. The Petitioner claims salary of un-trained teacher for a period Petitioner completes three years as Shikshan Sevak and till he acquires D.Ed. Qualification.

3. The Petitioner refers to the circular dated 24/04/2007 and

judgment of this Court in Writ Petition No. 7116 of 2011 dated 24/04/2012.

4. The Petitioner does not dispute that now he is getting pay scale of trained primary teacher. The Petitioner is also paid honorarium of Shikshan Sevak for the period of three years from the date of appointment. The only question would be pay scale for the period, the Petitioner completes his tenure as Shikshan Sevak and acquires the qualification of the trained teacher, in that case the circular of 2007 as referred herein above may be adhered to.

5. In light of above, the Chief Executive Officer shall consider the proposal of the Petitioner for grant of pay scale of un-trained teacher for a period prior to the Petitioner acquiring the D.Ed. qualification and after completing three years as a Shikshan Sevak.

6. The relevant circular and judgment be considered by the Chief Executive Officer and the same shall be considered preferably, within four month.

7. Writ Petition is accordingly disposed of. No costs.

[S. M. MODAK, J.]

[S.V. GANGAPURWALA,J.]