

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

WRIT PETITION NO. 1823 OF 2020

Shalikrao s/o Kawadu Madavi,
aged 54 years, Occ. Service as Assistant Teacher,
C/o Vasantrao Naik Primary Ashram School,
Rekhegaon, Tah. Charmorshi,
District – Gadchiroli.

PETITIONER

.....VERSUS.....

1. State of Maharashtra,
through its Secretary, Social Welfare Department,
Mantralaya, Mumbai.
2. The Director of Social Welfare,
Maharashtra State, Pune.
3. The Divisional Social Welfare Officer,
Nagpur Division, Nagpur.
4. The Assistant Commissioner/
Special District Social Welfare Officer,
Gadchiroli, District – Gadchiroli.

RESPONDENTS

Shri R.N. Ghuge, Advocate for the petitioner.
Ms. N.P. Mehta, A.G.P. for the respondents/ State.

CORAM : A.S. CHANDURKAR AND URMILA JOSHI - PHALKE, JJ.

DATE : 29th JUNE, 2022.

ORAL JUDGMENT (PER : A.S. CHANDURKAR, J.)

RULE. Rule made returnable forthwith and heard the learned
Counsel for the parties.

2. The petitioner, who has obtained the qualification of B.Sc.,
B.P.Ed. and is serving at Ashram School, seeks a declaration that he is a
trained Teacher from the date of his initial appointment which is

01/06/1996. He therefore seeks grant of pay scale that is admissible to a trained Primary Teacher. According to the petitioner, he has received such benefits from 31/05/2002.

3. The issue with regard to the entitlement for regular pay scale as a trained Teacher has been considered by this Court in various decision including the judgment in *Writ Petition No. 6437/2007 (Govinda s/o Narayan Gunajal Vs. The State of Maharashtra & Ors. decided on 12/03/2008)* at the Aurangabad Bench of this Court. It was held that on attaining the necessary training qualifications, such Teachers are entitled to be considered as trained Teachers and entitled for pay scale accordingly.

4. In that view of the matter, respondent No.4 shall examine the case of the petitioner for being entitled to such benefits after being treated as a trained Teacher in the light of the representation made by the petitioner on 06/10/2019 along with the proposal dated 25/10/2017 that has been forwarded by the Management. To enable such exercise to be undertaken, the petitioner shall attend the office of respondent No.4 on 08/07/2022. A decision thereon be taken within a period of four weeks thereafter and the same shall be communicated to the petitioner.

5. Rule is made absolute in the aforesaid terms. No costs.

(URMILA JOSHI – PHALKE, J.)

(A.S. CHANDURKAR, J.)

SUMIT