

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

Writ Petition No.1198 of 2022

Ku. Chhaya d/o Moreshwar Bhagat
(Sau. Yashri w/o Rajendra Lohakare)
and others

... Petitioners

Versus

State of Maharashtra and another

... Respondents

Mr. S.U. Ghude, Advocate for Petitioners.

Mr. A.A. Madiwale, Assistant Government Pleader for
Respondent No.1.

Mr. D.R. Bhoyar, Advocate for Respondent No.2.

**CORAM : NITIN JAMDAR AND
ANIL L. PANSARE, JJ.**

DATE : 28 APRIL 2022

P.C. :

The Petitioners have filed this Petition for advance/additional increment in respect of being Awardee Teachers from the Respondent No.2- Zilla Parishad, Wardha.

2. On 1 March 2022, the following order was passed :

“The Petitioner has relied upon the decision of this Court in Shri Gunvanta S/o Vitthalrao Barahate & Ors. Vs. State of Maharashtra & Anr. (Writ Petition No.2343/2018 decided on 03 September 2019), which in turn refers to

earlier decisions on the subject.

2. Issue notice to the Respondents, returnable on 29 March 2022.

3. Mr. A.S. Fulzele, learned Additional Government Pleader waives notice for Respondent No.1.

4. The Chief Executive Officer, Zilla Parishad will go through the decision annexed to the petition, and if the Chief Executive Officer finds that the same is applicable to the Petitioners will proceed to implement the law laid down. If according to the Chief Executive Officer the case of the Petitioners is distinguishable on facts, then reply be filed. However, we put the Zilla Parishad to notice that if their stand is found unmeritorious, the Court may impose suitable litigation cost as well as interest.”

3. The reply-affidavit is filed on behalf of the Respondent No.2-Zilla Parishad, wherein it is stated that the legal position has been examined and it is applicable to the case of the present Petitioners and they are entitled to the benefit of additional increment as per the Government Resolution dated 12 December 2000. It is also stated that the Respondent No.2-Zilla Parishad has issued the order granting approval to the claim of the Petitioners for grant of additional increment on 18 April 2022. The learned Counsel for the Petitioners states that the grievance made by the Petitioners therefore stands satisfied.

4. The Petition is disposed of in light of the statement made by the Respondent No.2- Chief Executive Officer, Wardha.

(ANIL L. PANSARE, J.)

(NITIN JAMDAR, J.)