

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

WRIT PETITION NO.3990 OF 2019

Kiran W/o Vijay Gotmare,
Aged about 60 years, Occ. Retired,
R/o C/o Vijay Gotmare, Plot No.44,
Koradi Road, Near Modern School,
Bokhara, Koradi Colony, Nagpur

... Petitioner

Vs.

1. Zilla Parishad, Nagpur,
Through its Chief Executive Officer,
2. Zilla Parishad, Nagpur,
Through its Education Officer (Primary),

... Respondents.

Shri N. S. Warulkar, Advocate for petitioner.
Shri S. N. Gaikwad, Advocate for respondents.

CORAM : A. S. CHANDURKAR AND M. S. JAWALAKAR, JJ.
DATE : March 07, 2022

Oral Judgment (Per : A. S. Chandurkar, J.)

Rule. Rule made returnable forthwith and heard the learned counsel for the parties.

The petitioner claims to be Zilla Adarsha Shikshak Puraskar Awardee having received such award on 05/09/2005 which is prior to 04/09/2018. It is her case that in view of Government Circular dated 12/12/2000 she is entitled for an additional increment in addition to regular increments. It is submitted that another teacher namely Shri Suresh Kisan Kalbande who had also awarded Zilla Adarsh Shikshak Puraskar on 05/09/2005 has been granted an additional increment by the Chief Executive Officer vide order

dated 06/08/2007. The petitioner made several applications requesting the Zilla Parishad for being granted such additional increment however neither any decision has been taken on her applications nor she has been granted such benefit of additional increment till her retirement on 31/07/2017. The learned counsel for the petitioner submits that similarly placed Assistant Teachers from Zilla Parishad, Gondia had preferred Writ Petition No.5421/2018 (*Hariram Keshorao Yelane and ors. vs. State of Maharashtra, Thr. Its Secretary Rural Development & Water Conservation Dept. and ors.*) seeking similar relief and the same was granted by this Court on 14/02/2019. The petitioner therefore prays that similar relief as granted in the aforesaid writ petition be granted to her.

2. In reply, the learned counsel for the Zilla Parishad submitted that the entitlement of the petitioner to receive such additional increment would be required to be considered by the Zilla Parishad. Such directions were infact issued while deciding Writ Petition No.5421/2018.

3. We find that the petitioner is similarly situated as the petitioners in Writ Petition No.5421/2018 which pertains to Zilla Parishad Gondia. We are therefore inclined to follow the directions issued by this Court in that writ petition. Accordingly for reasons recorded in aforesaid judgment, the following order is passed :

The respondents/Zilla Parishad after satisfying itself about the petitioner being awarded Zilla Adarsh Shikshak Puraskar having been awarded such certificate prior to 04/09/2018 shall consider the case of the petitioner for grant of additional increment as is laid down under the Government Circular dated 12/12/2000. The same shall be considered on merits by considering the judgments rendered in all the applicable cases as expeditiously as possible and preferably within a period of six months.

Rule is made absolute in aforesaid terms with no order as to costs.

(M. S. Jawalkar, J.)

(A. S. Chandurkar, J.)

Asmita