

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

WRIT PETITION NO.3171/2021

Jawed Ahmad Khan Iqbal Ahmad Khan and 3 others.

vs.

State of Maharashtra through its Secretary, Rural Development and Water
Conservation Department, Mantralaya, Mumbai and another.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri A.R.Deshpande, Advocate for petitioners.

Shri A.A.Madiwale, Assistant Government Pleader for respondent nos. 1 to 3.

Shri S.M.Bhangde, Advocate for respondent nos. 4 and 6.

Shri B. N. Jaipurkar, Advocate for respondent nos. 5 and 7.

Respondent no.8 served.

CORAM :- A.S.CHANDURKAR AND PUSHPA V. GANEDIWALA, JJ

DATED :- JANUARY 07, 2022.

P. C.

Rule. Rule made returnable forthwith. Heard the learned counsel for the parties.

The petitioners herein seek to grant additional increment in terms of the Government Resolution dated 12.12.2000 which recognizes such right to increment if a certificate in that regard is issued prior to 04.09.2018. It is the case of the petitioners that each petitioner has been granted such certificate prior to 04.09.2018 and hence they are entitled for additional increment.

The learned counsel for the petitioners submits that the issue raised in this writ petition has been considered in various writ petitions, one of which is Writ Petition No.5670/2019 (*Narendra Onkarrao Bhandarkar and ors. Vs. State of Maharashtra through its Secretary, Rural Development and Water Conservation Department, Mumbai and ors.*) decided on 02.12.2021. According to him, since it is not in dispute that each petitioner has been granted such certificate as District Awardee Teacher before 04.09.2018, the relief prayed for in this writ petition ought to be granted.

The learned counsel for the respondents-Zilla Parishad seek time to verify whether each petitioner has been awarded such certificate prior to 04.09.2018 and thereafter grant necessary increment within a stipulated period.

Paragraph 4 of the order dated 02.12.2021 in Writ Petition No.5670/2019 reads as under :

“4. The respondent - Zilla Parishad after satisfying themselves about the petitioners being District Awardee Teachers having been awarded certificates prior to 4th September, 2018 shall individually consider the case of the petitioners for additional increment as is laid down under the Government Resolution dated 12th December, 2020. The same shall be considered on merits of each individual case by considering the judgments rendered in all the applicable cases as expeditiously as possible and preferably within a period of six months.”

Accordingly this writ petition is allowed in terms of the aforesaid paragraph. The Zilla Parishad shall act accordingly on receipt of copy of this order.

Rule is made absolute in aforesaid terms. No costs.

(PUSHPA V. GANEDIWALA J.)

(A.S.CHANDURKAR, J.)

Andurkar..