

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

59 WRIT PETITION NO.2318 OF 2023

PRABHAKARRAO SAMBHAJIRAO AKUSKAR AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE SECRETARY AND
OTHERS

Mr.S.A.Nagarsoge, Advocate for the Petitioners.
Mr.S.G.Karlekar, AGP for the Respondent/State.
Mr.P.D.Suryawanshi, Advocate for Respondent Nos. 3 and 4.

(CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.)

DATE : FEBRUARY 28, 2023

PER COURT :

1. Mr.Nagarsoge, the learned Advocate for the Petitioners submits that the Petitioners were appointed prior to 1972 and were possessing S.S.C. qualification. Hence, as per the Government Resolution dated 04.10.1983, they are deemed to be trained teachers. They were entitled to the pay scale of a trained teacher. However, the Petitioners are not given these benefits. The Respondents be directed to extend the said benefit.

2. The learned AGP appears for Respondent No.1 and opposes the request. The Petitioners have retired long ago on 30.11.1997 and

31.07.2003, respectively. They did not move the Court all these years for voicing their grievance about the pay scale of the trained teachers.

3. The Petitioners, in view of the Government Resolution dated 04.10.1983, would be deemed trained teachers, if they are possessing S.S.C. qualification and are appointed prior to 1972. However, considering the fact that the Petitioners have approached this Court with a long delay, we are not inclined to grant them the actual monetary benefits for the past period.

4. This petition is, therefore, disposed off.

5. The Respondents shall, after verifying that the Petitioners are S.S.C. and appointed prior to 1972, treat the Petitioners as deemed trained teachers and the pay scale shall be notionally calculated. The pension amount of the Petitioners shall be re-calculated as deemed trained teachers and the said pensionary benefits be accorded to the Petitioners, from the date of the filing of this petition, within a period of six months.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)