

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

923 WRIT PETITION NO.2480 OF 2023

RAMCHANDRA BHAGAJI AHIR AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS

...

AND
930 WRIT PETITION NO.2508 OF 2023

LAXMAN BHIKAJI CHAUDHARY AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS

Advocate for Petitioners : Mr. Deshpande Abhishek C.
AGPs for Respondents: Mr. V.M. Kagne and Mr. S.K. Tambe

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**CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.
DATED : 3rd MARCH, 2023.**

PER COURT :-

1. All these Petitioners claim to be identically placed and are district teachers' awardees. All of them claim to be entitled for one advance increment vide Circular dated 12.12.2000.
2. In several cases, this Court has dealt with such cases and has passed orders.
3. For the first time, an additional increment was given to the District awardee teachers under Government Resolution dated

12/12/2000. Pursuant thereto, additional increments as per the said Government Resolution were given.

4. There are other categories of awardee teachers, such as State awardee teachers and National awardee teachers who are rewarded for excellent/outstanding work. In the present cases, we are concerned only with the District awardee teachers.

5. Upon perusal of various Government Resolutions placed on record, it does not appear that prior to the Government Resolution dated 04/09/2018, there was any Government Resolution taking away the benefit of the additional increment given to District awardee teachers. Of course, now, no District awardee teacher would be entitled for the benefit in view of the Government Resolution dated 04/09/2018. However, Government Resolution dated 04/09/2018 can not be given retrospective effect.

6. The Government Resolution dated 27/02/2009 is general in nature. It only states that the committee formed by the Government has made recommendation and the same is to be accepted with certain modifications. Under the Government Resolution dated 24/08/2017, Government has taken decision that the benefit of advance increment would not be available to those who were granted certificate of excellent work. It is under the Government Resolution dated 04/09/2018, that the benefit of additional increment to the District awardee teacher can not

be given. However, all those who were granted certificate of District awardee teacher, prior to 04/09/2018, can not be denied the said benefit of additional increment.

7. In light of the above, we pass the following order:-

ORDER

- a) The respondent/Zilla Parishad after verifying and confirming that the petitioners are District awardee teachers and are awarded certificate prior to 04/09/2018, shall consider each of the cases of these petitioners, for additional increment as is laid down under the Government Resolution dated 12/12/2000. The same shall be considered on it's own merits expeditiously, preferably within a period of six months.
 - b) Since these matters suffer a long delay of 23 years, we would not grant interest.
8. The Writ Petitions are disposed off. No costs.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE , J.)

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