

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.7506 OF 2023

Shaikh Ahmedulla Shadulla, ... **PETITIONER**

VERSUS

1. The State of Maharashtra,
through its Principal Secretary,
School Education & Sports Department,
Mantralaya, Mumbai - 400 032.
 2. The State of Maharashtra,
through its Principal Secretary,
Finance Department,
Mantralaya, Mumbai - 400 032.
 3. The State of Maharashtra,
through its Secretary,
Rural Development and
Water Conservation Department,
Mantralaya Mumbai 400 032.
 4. The State of Maharashtra,
through its Secretary,
General Administration Department,
Mantralaya, Mumbai.400 032.
 5. The Divisional Commissioner, Aurangabad
Tq. & Dist. Aurangabad.
 6. The Chief Executive Officer,
Zilla Parishad, Nanded,
Tq. & Dist. Nanded.
 7. The Education Officer,
Zilla Parishad, Nanded
Tq. & Dist. Nanded.
- ... **RESPONDENTS**

...

Advocate for the petitioner : Ms. Megha Mali h/f. Mr. S.K. Mathpati
AGP for respondent / State : Mrs. M.A. Deshpande
Advocate for respondent Nos.6 and 7 : Mr. Santosh Baburao Pulkundwar

...

**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, J.J.**

DATE : 10.07.2023

PER COURT :

Heard the learned advocate Ms. Megha Mali holding for Mr. S.K. Mathpati for the petitioner, the learned AGP and the learned advocate Mr. Pulkundwar for the Zilla Parishad.

2. The petitioner who is a district awardee teacher having the requisite certificate was granted the benefit of the Government Resolution dated 12.12.2000 and even the order to that effect was passed by the then Chief Executive Officer on 20.03.2010. It is now being alleged that referring to the Government Resolution dated 24.08.2017 the benefit conferred upon the petitioner is not being actually released.

3. The petitioner submits that the order was never given effect to and the petitioner stands superannuated and is awaiting benefit. Even the representations made to the Respondent - Education Officer (Primary) Zilla Parishad, Nanded on 27.07.2021 and 24.10.2021 have not been considered.

4. The respondent No.7 should have taken appropriate decision on the petitioner's representation and granted the relief conferred upon him by the order dated 20.03.2010 (**Exhibit - B**). He ought to have borne in mind that in spite of subsequent Government Resolutions dated 24.08.2017 and 04.09.2018, this Court in several matters has considered the scope of Government Resolutions, in the matter of **Santosh Narayan Sannanse and Anr. Vs. The State of Maharashtra and Ors.**; in Writ Petition No.222/2003 and connected writ petitions decided on 13.04.2023 as also the order passed by the Supreme Court in the matter of **the Chief Executive Officer Nasik Zilla Parishad, Nasik and Anr. Vs. Nitin Dattatray Pawar and Ors.**;

dated 13.04.2022.

5. The writ petition is allowed. The Respondent No.7 - Education Officer shall now consider and decide the representations as expeditiously as possible and in any case within four weeks.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)