

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

901 WRIT PETITION NO.650 OF 2023

PRAKASH SHESHERAO TOMPE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

Mr.VA.Bagal, Advocate for the Petitioners.
Mr.S.G.Karlekar, AGP for the Respondent/State.
Mr.VM.Vibhute, Advocate for Respondent nos. 2 and 3.

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

DATE : MARCH 9, 2023

PER COURT :

1. Issue is of a District Awardee Teacher getting the benefits of the GR dated 12.12.2000 until Clause 12 of the said GR, with regard to monetary benefits, having been deleted by GR dated 04.09.2018.

2. This issue has been considered by this Court at the Principal Seat, the Aurangabad Bench and the Nagpur Bench in several cases. It has been ordered by this Court that the Zilla Parishad would scrutinize each case of the Petitioners and if such scrutiny indicates candidates who are eligible for the monetary benefits, they would be

entitled for the benefits. In so far as the order dated 24.01.2023 delivered in WP No.94/2021 and 487/2020 thereby concluding that once the deletion of Clause 10 has occurred on account of the GR dated 04.09.2018, those candidates who are declared as District Awardee Teachers in view of the GR dated 12.12.2000, would be entitled only for such certificates and not for the monetary benefits from 04.09.2018.

.3 In view of the above, Petitioner No.1 Prakash Shesherao Tompe, Petitioner No.2 Shivaji Rambhau Lende, Petitioner No.3 Gautam Mariba Wavhal, Petitioner No.17 Jalindar Namdeo Dongardive, Petitioner No.19 Subhash Bhikaji Dalvi, and Petitioner No.25 Shaikh Raja Shaikh Kasim, would be entitled for the monetary benefits, in the light of the GR dated 12.12.2000. To that extent, this petition is partly allowed with a direction to the Zilla Parishad that they would consider each of these cases by scrutiny of the records and accordingly, grant the benefits to the Petitioners within 60 days.

4. In so far the rest of the Petitioners are concerned, this petition is disposed off. By way of abundant precaution, we permit the

Zilla Parishad to scrutinize their cases individually only to assess as to whether any of them has been awarded the honour prior to 04.09.2018 and in the event, it is noticed that any one of them would be entitled for the monetary benefits, appropriate steps would be initiated to grant the same within 60 days.

5. The learned Advocate for those Petitioners who are unsuccessful before this Court, submits that, if in future, the State Government introduces Clause 12 or any such clause similar to Clause 12 of the GR dated 12.12.2000, they would put forth their representations for such benefits.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)