

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

WRIT PETITION NO. 5589 OF 2021

(YADORAO ISHULAL RAHANGDALE AND OTHERS **VERSUS** STATE OF MAHARASHTRA AND OTHERS)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Shri A.R. Deshpande, counsel for petitioners.
 Shri A.S. Fulzele, Additional Government Pleader for respondent nos.1 to 3.
 Shri Anoop Parihar, counsel for respondent nos.4 and 5.

CORAM : A. S. CHANDURKAR AND M.W. CHANDWANI, JJ.

DATE : MARCH 17, 2023.

P.C. :

Rule. Rule made returnable forthwith and heard the learned counsel for the parties.

It is submitted by the learned counsel for the petitioners that the issue regarding applicability of the Circular dated 04.09.2018 in the matter of grant of additional increment to the District Awardee Teachers has been decided by this Court in Writ Petition No.94 of 2021 (*Waseem Farhat Khalil Farhat and others Vs. State of Maharashtra and others*) and connected Writ Petition on 24.01.2023. It has been held that when the name of a Teacher is recommended by the Selection Committee constituted by the Zilla Parishad prior to 04.09.2018, such Teacher cannot be deprived of the benefit of grant of additional increment only on the ground that the actual certificate has been received after 04.09.2018. Our attention is invited to the Minutes of the Meeting of the Selection Committee held on 31.08.2018. It is submitted that the names of the petitioners herein have been referred to in the said resolution. The learned counsel for the Zilla Parishad does not dispute the fact that the names of the petitioners were considered by the Selection Committee on 31.08.2018 and the District Award has been conferred on the petitioners on 02.10.2018.

Hence for the reasons assigned in the decision in Writ Petition No.94 of 2021, the following order is passed :

It is held that the petitioners are entitled to receive the benefit of additional increment under Clause 12 of the Circular dated 12.12.2000. It is

clarified that the Circular dated 04.09.2018 does not preclude the petitioners from receiving the additional increment since their selection/recommendation to receive the award is prior to 04.09.2018. The benefits shall be released to the petitioners within a period of three months from today.

Rule accordingly. No costs.

(M.W. CHANDWANI, J.)

(A. S. CHANDURKAR, J.)

LANJEWAR