



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

904 WRIT PETITION NO. 13934 OF 2023

GUNVANTRAO DEVRAO PATWARI

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS

...

AND

905 WRIT PETITION NO. 13961 OF 2023

DHONDU BARKU PATIL

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS

...

Shri Shivkumar K. Mathpati, Advocate i/by Ms.Megha Mali,
Advocate for the Petitioners.

Shri R.K. Ingole, AGP for Respondent Nos.1 and 2/State.

Ms.Yogita Thorat, Advocate for Respondent Nos.3 to 5 in WP
13934/2023.

Shri C.D. Birada, Advocate for Respondent Nos.3 and 4 in WP/
13961/2023.

...

CORAM : RAVINDRA V. GHUGE

&

R.M. JOSHI, JJ.

DATE :- 30th April, 2024

Per Court :-

1. In both these matters, the Petitioners are identically placed. Both passed their SSC in 1966 and 1974, respectively. They were appointed on 08.12.1961 and 16.06.1967,

respectively. The Government Resolution dated 04.10.1983 applicable to untrained teachers, would be squarely applicable in the present case.

2. In several judgments and orders passed by this Court in identical set of facts, the benefits of pay scales were notionally granted to the Petitioners w.e.f. 01.01.1986 and 01.04.1986, till their dates of retirement. Actual monetary benefits were not granted on account of delay. The Honourable Supreme Court has upheld such view in *Shri M.L. Patil vs. State of Goa, 2022 (4) ALL M.R. 397 (SC)*.

3. In view of the above, **both these Writ Petitions are disposed off** with a direction that the Petitioners shall be treated as deemed trained teachers as per the Government Resolution dated 04.10.1983. They will be entitled for consequential benefits after notional pay fixation. Naturally, arrears of pension will have to be calculated from the dates of retirement. Let such amounts be paid within a period of 90 (ninety) days from today.