

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7552 OF 2024

Prakash Baburao Chougule And Ors. ...Petitioners

Versus

The State of Maharashtra and Ors. ...Respondents

Mr. Datta Pawar for the Petitioners.

Ms. Dhruti Kapadia, AGP for the Respondent No.1/State.

**CORAM : NITIN JAMDAR AND
M.M. SATHAYE, JJ.**

DATE : 3 JULY 2024

P.C. :

. Heard the learned Counsel for the parties.

2. For order that we propose to pass, we do not deem it necessary to issue notice to the Respondent Nos. 2 and 3.

3. Some of the Petitioners are working and some of them were working with the Respondent – Kolhapur, Zilla Parishad. All of them were or are teachers. They are seeking an advance increment in their salary based on the Government Resolution 12 December 2000. This Government Resolution lays down certain criteria and upon fulfillment of the same the grant of increment is postulated.

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The Petitioners representations for the said benefit are also stated to be pending. For this purpose case of each of the Petitioners will have to be examined on facts as to whether they fulfill the requirements of the said Government Resolution. This factual enquiry will have to be carried out by the Respondent – Zilla Parishad.

4. In these circumstances, we dispose of the Petitions directing the Respondent – Zilla Parishad to examine the case of each of the Petitioners in the light of the criteria laid down in the Government Resolution dated 12 December 2000 including the date of receipt of the Award. If the Respondent-Zilla Parishad comes to the conclusion that the Petitioners fulfill the criteria under the said Government Resolution and that they have received such Award, they would be given the benefit of the additional increment as per the governing rules and regulations. If not, a reasoned order be passed.

5. The Respondent – Zilla Parishad will make an endeavor to complete the exercise within a period of four months from today, subject to other urgent public duties and commitments.

6. We make it clear that since the Respondent – Zilla Parishad is not before us, we are not deemed to have declared that each of the Petitioners are entitled to the benefit of the additional increment and this decision will be taken by the Zilla Parishad on the merits of each case upon examination of factual aspects.

7. The Writ Petition is accordingly disposed of.

(M.M. SATHAYE, J.)

(NITIN JAMDAR, J.)