



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

WRIT PETITION NO.3086 OF 2024

Ashok Digambarrao Raut, Amravati and ors.

-VS-

State of Maharashtra, Thr. Secretary, Rural Development and Water Conservation Dept. Fort,
Mumbai and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and the Registrar's orders.

Court's or Judge's Orders.

Shri A. R. Deshpande, Advocate for petitioners.

Shri N. R. Patil, Assistant Government Pleader for respondent Nos.1 to 3.

CORAM : NITIN W. SAMBRE AND MRS VRUSHALI V. JOSHI, JJ.

DATE : December 04, 2024

P. C.

1. We have heard the respective counsel for some time.
2. The petitioners are claiming to be the District Awardee teachers and in view of the Government policy as was existing prior to 04/09/2018, they are entitled for one advance increment which was discontinued vide Circular dated 04/09/2018.
3. It is claimed that the issue sought to be canvassed is squarely covered by the Division Bench judgment in Writ Petition No.3393/201 (*Anil Bapurao Khakse and ors. vs. State of Maharashtra and ors.*) decided on 21/01/2022.
4. The respondents tried to resist the claim of the petitioners based on the fact of discontinuation of policy by the Government.
5. The fact remains that the policy whereby benefits are discontinued is said to be prospective. In our opinion, the petitioners' claim is required to be decided in view of the observations made by the

Division Bench in the matter of *Anil Bapurao Khakse* (supra).

6. That being so, we partly allow the petition.

7. We direct the respondent Nos.4 and 5 to decide the claim of the petitioners as expeditiously as possible and in any case within a period of ten weeks from the date of production of this order before them.

8. Let the claim be decided having regard to the observations made in the judgment dated 21/01/2022 in the matter of *Anil Bapurao Khakse* (supra).

9. Writ Petition is disposed of accordingly with no order as to costs.

(Mrs Vrushali V. Joshi, J.)

(Nitin W. Sambre, J.)