

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

WRIT PETITION NO. 4901 OF 2023

Ram Mukundrao Chaudhari and others

Vs.

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 orders

Shri A.R. Deshpande, Advocate for the petitioners
Ms Shamsi Haider, AGP for the respondent Nos. 1 to 3
Shri D.M. Kale, Advocate for respondent Nos. 4 and 5

CORAM : AVINASH G. GHAROTE AND
SMT M.S. JAWALKAR, JJ.

DATE : 11.01.2024.

Present petition is filed by the employee of Zilla Parishad School, Amravati and have been selected as the District Awardee Teachers in 2008. He was awarded with benefit of one additional increment. However, it was withdrawn in September, 2009.

2. By this petition, the petitioners are claiming for continuation of that benefit and to release arrears along with interest with consequential benefits. However, attention is drawn to the judgment in Writ Petition No. 625/2016, wherein similar issue has been involved. It is held in the said petition that Government Resolution dated 24/08/2017 does not speak of any incentive conferred upon the teacher as an award. The petitioners are mentioned as the District Awardee Teachers.

3. The submission made on behalf of respondent No.2 that in terms of Government Resolution dated 24/08/2017, award already conferred has been withdrawn is not accepted. It is held that the increment additionally granted ought to have been continued and its benefits should have been received by the District Awardee Teachers till their superannuation unless it is withdrawn as per law. There is no such order of withdrawal.

4. In view of this proposition, we direct the respondent to continue to honour and execute the order as per Government circular dated 12/12/2000 and clear the arrears from the date of discontinuation of additional increment till date. We also direct further respondents to grant consequential benefits to the District Awardee Teacher within a period of four months from today. As such, petition is partly allowed and disposed of. No orders as to costs.

JUDGE

JUDGE