



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

WRIT PETITION NO.647 OF 2022

Kishor Prakash Wagh	..Petitioner
vs.	
The State of Maharashtra and ors.	..Respondents

AND

WRIT PETITION NO.700 OF 2022

Gajanan Bajirao Dukare	..Petitioner
vs.	
The State of Maharashtra and ors.	..Respondents

Mr.Ajay D. Pawar, Advocate for petitioners

Mr.D.R.Korde and Mr.S.R.Yadav-Lonikar, AGP for respondent no.1

Mr.P.P.Kothari, Advocate for respondent nos.2 and 3 in Writ Petition No.647/2022

Mr.Ujjwal Patil, Advocate h/f. Mr.S.M.Ganachari, Advocate for respondent nos.2 and 3 in Writ Petition No.700/2022

**CORAM : R.G.AVACHAT AND
SANDIPKUMAR C. MORE, JJ.**
DATE : APRIL 22, 2025

ORDER :-

Heard learned counsel for the parties. Both these Writ Petitions are being decided by this common order, in view of the issue involved therein.

2. Both the petitioners were, initially, appointed as Shikshan Sevaks for a period of three years (one in the year 2005 and another in 2006). Both of them completed the period of probation of three years. Thereafter, one of them has been transferred from Sangli to Zilla Parishad, Aurangabad; while, another has been transferred from Parbhani to Zilla Parishad, Aurangabad.

3. The petitioners claimed for being considered as trained Shikshan-Sevaks and prayed for grant of benefits attached to those posts.

4. Learned counsel for the petitioners would submit that both the petitioners had completed B.P.Ed. on the dates of their appointments. In view the judgment of the Division Bench of this Court in the case of Govinda s/o. Narayan Gunajal Vs. The State of Maharashtra and ors., (Writ Petition No.6437 of 2007) with connected matters decided on 12.03.2008, the qualification of B.P.Ed. is considered to be the qualification equivalent to B.Ed. and therefore, the petitioners were entitled to be considered as trained Shikshan Sevaks.

5. We cannot dispute the above legal proposition. It is also not in dispute that there were two categories: one of Shikshan Sevak

and another of trained Shikshan Sevak who completed D.Ed. or B.P.Ed. Since the petitioners appear to have earned the degree of B.P.Ed. sometime before their appointment as Shikshan Sevak, it was legitimate expectation on their part to consider their appointment as trained Shikshan Sevaks. In view of the Government Resolution dated 11.11.2011, on completion of the period of three years as Shikshan Sevaks, they may be entitled for the pay scale given in the said Government Resolution. This is our *prima facie* view.

6. The representations of the petitioners, pending before respondent no.2 – Chief Executive Officer, Zilla Parishad, need to be decided in the light of the above observations and on hearing the petitioners.

7. In view of the above, the Writ Petitions stand disposed of with a direction to respondent no.2 – Chief Executive Officer, Zilla Parishad, to consider the claim of the petitioners and decide their representations, within a period of five weeks from the date of receipt of a copy of this order.

[SANDIPKUMAR C. MORE, J.]

[R.G. AVACHAT, J.]

KBP