

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

925 WRIT PETITION NO. 1323 OF 2020

SHANKARRAO LAXMANRAO RAUT THOROUGH LRS VACHAWALABAI
SHANKARRAO RAUT

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for the Petitioner : Mr. Vitthal G. Salgare

AGP for Respondent/State: Mr. D. R. Korde

Advocate for Respondent Nos. 3 and 4 : Mr. V. S. Patil h/f
Mr. U. B. Bondar

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**CORAM : R. G. AVACHAT AND
SANDIPKUMAR C. MORE, JJ.**

DATED : MAY 06, 2025

ORDER:-

1. Heard.
2. The challenge in this petition is to the order not granting the pensionary benefits as a trained teacher to the petitioner's deceased husband and on his demise, to the petitioner.
3. We have heard the learned Advocate for the petitioner and respondent- Zilla Parishad as well.
4. The Government Resolution dated 4th October 1983 speaks of granting status as deemed to be trained teachers to those all untrained teachers appointed before 1972.

5. The learned Advocate for the respondent- Zilla Parishad do not dispute the same. He only submit that the actual benefit shall not be given to the concerned for the requisite period. The pay fixation be done notionally. Both the learned Advocates relied on the judgment of this court dated 20th March 2025 passed in Writ Petition No. 3243 of 2020 (Narayanrao Laxmanrao Solunke Vs. The State of Maharashtra and others).

6. In view of the same, the petition stands allowed in terms of the following order :-

ORDER

- (I) Without granting the petitioner actual monetary benefits for the past period, the pension be fixed in the pay-scale of the trained teacher notionally.
- (ii) The retiral benefits be calculated and released in favour of the petitioner within a period of four months from the date of receipt of a copy of this order.
- (III) The amount payable shall carry interest @ 6 % per annum from the date the amount becomes payable to the date of actual payment.

(SANDIPKUMAR C. MORE)
JUDGE

(R. G. AVACHAT)
JUDGE