

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.17634 OF 2024

Shivaji Nivruti Vinchu & Ors.Petitioners
versus
The State of Maharashtra and Ors.Respondents

Mr. C.K. Bhangoji, Advocate for the Petitioners.
Mr. V.M. Mali, AGP for the Respondent Nos.1 and 2-State.
Mr. Ashwin R. Kapadnis, Advocate for Respondent Nos.3 and 4.

CORAM : RAVINDRA V. GHUGE
&
ASHWIN D. BHOBE, JJ.

DATE : 25th MARCH, 2025

P.C. :-

1. We have heard the learned Advocates for the respective sides. We have perused the judgments of this Court delivered in Writ Petition No.15209 of 2019, at Aurangabad (*Ganesh Mohan Bagul and Others versus The State of Maharashtra and Others*), dated 24th August 2022, in Writ Petition No.2388 of 2024 delivered at Aurangabad (*Vitthal Girdhar Dhangar and Others versus the State of Maharashtra and Others*), dated 1st March, 2024 and the Full

Bench, delivered at Aurangabad in Writ Petition No.12744 of 2023 (*Baburao S/o. Mohanrao Bawane and Others versus the State of Maharashtra and Others*), dated 19th August, 2024.

2. The learned Advocate representing the Zilla Parishad, was requested to assist the Court since he is on the panel of Nashik Zilla Parishad. Hence, he has caused his appearance.

3. In the present case as well, though the Petitioner was recommended by the Committee for the District Adarsh Teacher's Award, the Circular dated 4th September, 2018 issued by the State Government deleted clause 12 of the Circular dated 12/12/2000, by which, though a teacher was eligible to receive the Adarsh Teacher's Award, the increment that accompanied the grant of such award, was discontinued.

4. The Full Bench dealt with the view taken by the Nagpur Bench in *Waseem Farhat Khalil Farhat and Others versus the State of Maharashtra and Others* (Writ Petition No.94 of 2021) decided on 24th January, 2023 and the view of the Aurangabad Bench in *Ganesh Mohan Bagul and Others* (supra) and concluded

that the view taken by the Aurangabad Bench in *Ganesh Mohan Bagul and Others* (supra) was the correct and the view taken in *Waseem Farhat Khalil Farhat and Others* (supra), does not lay down the correct position of law.

5. In view of the above, since the facts of this case are identical to the facts in *Ganesh Mohan Bagul and Others* (supra), the only conclusion that can be arrived at in this matter, is that the Petition *sans merit*.

6. In view of the above, **this Petition is dismissed.**

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)