



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

WRIT PETITION NO. 96 OF 2026

Kusum Baliram Tayade

VERSUS

The State Of Maharashtra And Others

Mr. Y. B. Bolkar, Advocate for petitioner

Ms. N. B. Kamble AGP for respondent Nos. 1 to 5

Mr. S. R. Dheple, Advocate for respondent Nos. 6 and 7

**CORAM : Smt. Vibha Kankanwadi &
Hiten S. Venegavkar, JJ.**

DATE : 11th February, 2026

PER COURT :-

1. Present petition has been filed for following reliefs :

"B) By way of appropriate writ order or direction in the like nature, this Hon'ble High Court may kindly direct the respondents to pay the benefits of additional increments, in the light of judgment and order dated 06/08/2021 passed by this Hon'ble High Court in Writ Petition No. 3436/2020 as well as the judgment and order dated 06/03/2025 passed in Writ Petition No. 3032/2025, appreciating the fact that, the petitioner is the District Awardee Teacher prior to 04/09/2018.

C) By way of appropriate writ order or direction in the like nature, this Hon'ble High Court may kindly direct the respondent No. 6 to confer the benefits of additional increments in favour of the petitioner by appreciating the Circular dated 06/10/2023 issued by the State Government and the application/representation dated 21/08/2025 made by the petitioner, since, petitioner is District Awardee Teacher prior to 04/09/2018."

2. On the last occasion, when the matter was heard, this Court

has direct the petitioner to file additional affidavit specifically demonstrating that she has not received the additional enactment though she was declared as District Awardee in the year 2011-2012. Accordingly, affidavit has been filed and a certificate has been produced on record issued by the Headmaster on 14.01.2026 which appears to have been given after considering the school record that such enactment was not given to the petitioner.

3. Ms. Kamble, learned AGP waives notice for respondent Nos. 1 to 5. Mr. Dheple, learned Advocate, waives notice for respondent Nos. 6 and 7.

4. Learned Advocate for respondent Nos. 6 and 7 relies on the Paragraph Nos. 3, 4 and 5 of order dated 06.03.2025 passed in Writ Petition No. 3032 of 2025 which reads thus :

3. The claim put forth by the Petitioners is as regards a right to seek additional increments on the ground that they are the District Awardee Teachers. Since the grievance is that the circular dated 12.12.2000, issued by the State Government of Maharashtra for granting such teachers one additional increment as a reward for being a scholarly teacher, has not been followed, the Petitioners are before this Court.

*4. A Co-ordinate Bench of this Court has delivered an order on 24.09.2019 in Writ Petition No.11700 of 2019 filed by **Vishnu Sahebrao Khandagale and others Vs. The State of Maharashtra and others** with a connected petition, based on an*

earlier decision of this Court dated 25.01.2019, in Writ Petition No.1954 of 2018.

5. Since it is undisputed that the Petitioners are identically placed with the Petitioners in Writ Petition No.11700 and 2019, we do not find any reason to arrive at a decision contrary to the view taken by the co-ordinate Bench of this Court. For the sake of clarity, it would be apposite to reproduce paragraph Nos.4 to 10 of the order dated 24.09.2019 hereunder :-

"4. Learned counsel for petitioners submits that all the petitioners are the District Awardee teacher prior to 04/09/2018.

5. For the first time additional increment was given to the District awardee teachers under Government Resolution dated 12/12/2000. Pursuant thereto, additional increments as per the said Government Resolution were given.

6. There are other categories of awardee teachers such as State awardee teachers, national awardee teachers and the award being given for excellent/outstanding work. In the present case, we are concerned only with the District awardee teachers.

7. Upon perusal of various Government Resolutions placed on record, it does not appear that prior to the Government Resolution dated 04/09/2018, there was any Government Resolution taking away benefit of the additional increment given to District awardee teachers. Of course, now, no District awardee teacher would be entitled for the benefit in view of the Government Resolution dated 04/09/2018. However, Government Resolution dated 04/09/2018 can not be given retrospective effect.

8. Government Resolution relied by the learned counsel for Zilla Parishad viz. Government Resolution dated 27/02/2009 is general in nature. It only states that the committee formed by the Government has made recommendation and the same is to be accepted with certain modifications. Under the Government Resolution dated 24/08/2017, Government has taken decision that the benefit of advance increment would not be available to those who

were granted certificate of excellent work. It is under the Government Resolution dated 04/09/2018 now the benefit of additional increment to the District awardee teacher can not be given.

9. However, all those who were granted certificate of District awardee teacher prior to 04/09/2018 can not be denied the said benefit of additional increment.

10. In light of the above, we pass the following order.

ORDER

The respondent / Zilla Parishad after confirming themselves of the petitioners being District awardee teachers and awarded certificate prior to 04/09/2018, shall consider the case of the petitioners for additional increment as is laid down under the Government Resolution dated 12/12/2000. The same shall be considered on its own merits expeditiously preferably within a period of six months."

5. The petitioner placed on record the certificate issued for declaring her the said award by name *Zilla Shikshak Puraskar* for the year 2011-2012. As aforesaid, government resolution makes it very clear that such enactment should be given, no doubt, there appears to be delay on the part of the petitioner as she stood retired on 31.08.2016 but the said delay cannot be the hurdle because she was then entitled in view of the government resolution itself. Such enactment has not been given to her as it appears *prima facie*. However the respondent Nos. 6 and 7 will have to verify the same.

6. In view of the above, this Writ Petition is disposed of with similar directions as under :-

(a) Respondent No.6, after confirming that the Petitioner is the District Awardee Teacher and is awarded such certificates prior to 04.09.2018, shall consider the case of the Petitioner for additional increments as is laid down under the Government Resolution dated 12.12.2000.

(b) The same shall be considered on its own merits, expeditiously and preferably within a period of six (6) months.

(Hiten S. Venegavkar, J.)

(Smt. Vibha Kankanwadi, J.)

B. S. Joshi