

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

WRIT PETITION NO. 3699 OF 2016

(Maharashtra Rajya Prathmik Shikshak Samiti, Yavatmal ..vs.. The 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.S. Chakotkar, Advocate for the petitioner,
Shri A.S. Fulzele, Acting G.P. for respondent Nos.1 and 2,
Shri D.M. Kale, Advocate for respondent No.3.

**CORAM : B.P. DHARMADHIKARI AND
ROHIT B. DEO, JJ.**

DATED : 04-07-2017

The fact that as per Government Resolution dated 06-08-2002, petitioners working in Naxalite/Tribal area are entitled to next higher pay scale of the post held by them in that area, is not in dispute. We find the issue covered by order of this Court dated 25-02-2015 in Writ Petition No. 2383 of 2014. The employee in Naxalite/Tribal area, so long as he continues in that area, is entitled to pay scale higher than the pay scale of a post held by him. Thus next higher pay scale is used to draw his salary while he is serving in that area.

In this situation, following the order dated 25-02-2015 delivered at Aurangabad Bench Supra, we direct respondents to complete the exercise of fixation of next higher pay scale of members of petitioner association within a period of two months from today. Arrears become due shall then be released in next three

months.

With these directions, we dispose of petition. No costs.

JUDGE

JUDGE

adgokar