

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

**WRIT PETITION NO.14474 OF 2021
AJAY CHANDRAKANT PAWAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
WITH
WRIT PETITION NO.10713 OF 2021
WITH
WRIT PETITION NO.10730 OF 2021
WITH
WRIT PETITION NO.10724 OF 2021
WITH
WRIT PETITION NO.11863 OF 2021
WITH
WRIT PETITION NO.14385/2021**

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Advocate for Petitioners in WP No. 14474/2021 : Mr. Ajay T. Kanawade

Advocate for Petitioners in WP No. 10724/2021 : Mr. Rajdeep S. Banik

Advocate for Petitioners in WP Nos. 10713/21, 10730/21, 11863/2021,
14385/21 : Mr. Balaji S. Shinde

AGP for Respondents/State in WP No. 14474/2021 : Mr. A.R. Kale

AGP for Respondents/State in WP No. 10724/2021, 10713/21, 10730/21,
11863/2021, 14385/21 : Mr. P.K. Lakhotiya

Advocate for Respondent Nos. 3 and 4 : Mr. Avinash D. Aghav

**ORAM : MANGESH S. PATIL &
S. G. CHAPALGAONKAR, JJ.**

DATE : 09.06.2023

PER COURT :

Heard both the sides in all these matters.

2. The petitioners are aggrieved by the impugned action of the respondents whereby one step benefit granted to them has been withdrawn. In Writ Petition No.14474/2021 even the recovery has been made. It is not disputed that the petitioners claim to be the persons situated similarly to the petitioners from Writ Petition (ST) No.9543/2021 and other connected writ petitions which were decided by this Court at the Principal Seat by the order dated 14.07.2021. We are in respectful agreement with the decision and follow the same course.

3. The impugned actions of recovery/stoppage of the increment is quashed and set aside. The petitioners from Writ Petition No.14474/2021 shall appear before the respondent No.4 and the petitioners from the other petitions shall appear before the Chief Executive Officer of Zilla Parishad, Ahmednagar on 07.07.2023 at 11:00 am. They are permitted to appear before the respective authorities even through their duly authorized representative or an advocate. The authorities mentioned herein above shall pass fresh orders after extending an opportunity of being heard to them either personally or through their representative/advocate. The decision shall be taken in accordance with the Government Resolution dated 06.08.2002 and as is expected of them by various orders of the Court. Even the petitioners are permitted to file written notes of argument.
4. The authorities shall decide the representations of the petitioners within eight weeks from the date of first hearing. The order shall be conveyed to the petitioners immediately and if it is adverse to them no coercive steps shall be taken against the petitioners for a period of four weeks from the date of communication of the order to them.
5. In the meanwhile, the petitioners are entitled to and the respondents shall continue to pay salaries to them at the rate at which they are being paid prior to the date of the recovery/stoppage of the increment.
6. The writ petitions are disposed of in above terms.

(S. G. CHAPALGAONKAR, J.)

(MANGESH S. PATIL, J.)