



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

WRIT PETITION NO. 187 OF 2023

1. Nitinkumar Keshavrao Anaraskar,
Age 45 years, Occu-Sub. Teacher,
R/o C/o Zilla Parishad School
Gangasagar Heti, Panchayat Samitee
Nagbhid, Dist. Chandrapur
And 275 Ors. ... Petitioners.

v/s

1. State of Maharashtra, through its Secretary,
Department of Rural Development and
Water Conservation, Mantralaya, Mumbai
And 5 Ors. ... Respondents

Shri P. S. Kshirsagar, Advocate for petitioners.
Shri A. A. Madiwale, Assistant Government Pleader for respondent nos. 1
and 2.
Smt B. P. Maldhure, Advocate for respondent no.3.

CORAM : A.S. CHANDURKAR AND SMT VRUSHALI V. JOSHI, JJ.
DATED : October 07, 2023

P. C.

1. Rule. Rule made returnable forthwith and heard finally by
consent of learned counsel for the parties.

The petitioners are employed with Zilla Parishad, Chandrapur holding various posts. According to them for some period of time they discharged their duties either in tribal or naxal areas of Chandrapur district. Hence they claim additional allowances in terms of Government Resolution dated 06/08/2002.

2. Shri P. S. Kshirsagar, learned counsel for the petitioners submitted that this Court in similar situation had directed the concerned Zilla Parishads to release the special promotional pay-scale as per Government Resolution dated 06/08/2002 on being satisfied that the respective petitioners satisfied the criteria in that regard. Reference is made to the orders passed in Writ Petition No.3699/2016 (*Maharashtra Prajya Prathmik Shikshak Samiti, Thr. President vs. State of Maharashtra, Thr. Secretary, Dept. of Rural Development and Water Conservation, Mumbai and ors.*) and Writ Petition No.4317/2016 (*Yavatmal Zilla Parishad Shikshak Sangh vs. The State of Maharashtra and ors.*) in that regard. In addition, the communication dated 27/05/2018 issued to all the Chief Executive Officers has also been referred to. Similarly, since some of the petitioners are serving in the Additional Tribal Sub Plan Area, it is stated that they are also entitled to the special promotional pay-scale as per the Government decision dated 09/03/1990.

3. According to the learned Counsel for the Zilla Parishad it would have to be verified as to whether the petitioners satisfy the criteria of service in naxal/tribal areas including Additional Tribal Sub Plan Area in the district of Chandrapur. Learned counsel does not dispute the fact that this Court in somewhat similar circumstances has extended the

special promotional pay-scale under the Government Resolution dated 06/08/2002 to the petitioners in those cases. Accordingly, by following the orders passed in earlier Writ Petitions as mentioned above, the respondent No.3-Zilla Parishad is directed to verify the services of all the petitioners of having being discharged in naxal/tribal areas including the Additional Tribal Sub Plan Area in the district of Chandrapur. On such verification, the special promotional pay-scale under the Government Resolution dated 06/08/2002 be released in their favour. In case the petitioners are found entitled for arrears of one step special promotional pay-scale in terms of Government Resolution dated 06/08/2002, the Zilla Parishad shall make the payment of arrears in accordance with the recommendations of 6th and 7th Pay Commissions. The entire exercise shall be completed within a period of four months from today.

4. With these directions the Writ Petition is disposed of. Rule is made absolute in aforesaid terms. No order as to costs.

(Mrs Vrushali V. Joshi. J.)

(A. S. Chandurkar, J.)