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

910 WRIT PETITION NO. 4284 OF 2024

BHUPENDRA JANARDAN VISPUTE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS

WITH

911 WRIT PETITION NO. 4285 OF 2024

DHAVAL DEVIDAS PETKAR AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE SECRETARY
AND OTHERS

WITH

912 WRIT PETITION NO. 4295 OF 2024

GAJANAN ASHRUBA NAGRE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE SECRETARY
AND OTHERS

WITH

913 WRIT PETITION NO. 4296 OF 2024

BHUPENDRAKUMAR LILAKANT CHAUDHARI AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE SECRETARY
AND OTHERS

WITH

914 WRIT PETITION NO. 4298 OF 2024

SANJAY DHOMAN MOHITE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE SECRETARY AND
OTHERS

(2)

WITH
915 WRIT PETITION NO. 4302 OF 2024

ABHAYSING JULALSING CHITTE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS

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Mr Balaji S. Shinde, Advocate for Petitioners in all the Petitions;
Mr V. S. Badakh, Mr S. R. Yadav Lonikar, Mr P. K. Lakhotiya, Mr
V. M. Kagne, Mr R. S. Wani and Ms Neha Kamble, A.G.Ps. for
Respondents/State in respective Petitions
Mr P. S. Patil, Advocate for Respondent Nos.6 to 8 in all Petitions

CORAM : RAVINDRA V. GHUGE
AND
R. M. JOSHI, JJ.

DATE : 24th April, 2024

PER COURT:

1. All these Petitioners are identically placed and have put forth their grievances with regard to recovery or proposed recovery/arrears of salary as per the One Step Pay-Scale available to the employees working in the Tribal/PESA areas as per the Government Resolutions dated 06/08/2002 and 14/05/2019.

2. We have considered the submissions of the learned Advocates for the respective sides and we have perused the series

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of orders passed by this Court in favour of similarly situated Petitioners, which have been annexed to the Petitions.

3. In view of the above, we do not find any such circumstances, which would convince us to take a different view.

4. The learned Advocates representing the respective parties in those cases, (orders which have been annexed to the Petitions), have clearly stated that the order passed by this Court at the Principal Seat, in Writ Petition No.8824/2021 (***Hiralal Jagannath Bawa and others vs. The State of Maharashtra and others***), dated 21.12.2021, is applicable to all such cases.

5. In view of the above, all **these Writ Petitions are allowed** in the following terms :-

(i) The impugned action of recovery initiated by the Respondents against these Petitioners, is quashed and set aside.

(ii) Respondent No.6/ Chief Executive Officer, Zilla Parishad, Nandurbar, shall scrutinize the records of all these

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Petitioners and the places at which they are deployed for performing their duties, within a period of 30 days from today.

(iii) Those cases which are without any legal impediment after verification, shall be cleared by Respondent No.6 and the salary benefits, to which the Petitioners are entitled to, in the light of the one-step pay-scale made available to the employees working in the Tribal and PESA areas, shall be paid to them along with their arrears, as well as their current salaries, within a period of four weeks thereafter.

(iv) After scrutiny, if any of these Petitioners, on the basis of their records, are found to be ineligible, Respondent No.6 would issue notices to each of such Petitioners, so as to enable them to appear before the said authority and address it. While conducting the scrutiny, the Government Resolution dated 29/02/2024 will also be considered.

(v) After such hearing, which shall be completed within 120 days, Respondent No.6 shall pass appropriate orders and

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grant benefits of one-step pay-scale to those candidates, who are found to be eligible.

(vi) Those Petitioners, who suffer adverse orders after the above stated exercise is completed, would be at liberty to avail of a statutory remedy, as is permissible in law.

(R. M. JOSHI, J.)

(RAVINDRA V. GHUGE, J.)

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