



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

903 WRIT PETITION NO. 8122 OF 2024

JAYESH BAPU SONAWANE

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS

...

AND

904 WRIT PETITION NO. 8133 OF 2024

PRAVIN JAYRAM NAVEJ AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS

...

AND

905 WRIT PETITION NO. 8134 OF 2024

SAMADHAN ANANDA KUWAR AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS

...

Ms.Megha Y. Mali, Advocate for the Petitioners.
Shri S.K. Tambe, Shri M.M. Nerlikar and Shri S.J. Salgare, AGPs
for the Respondents/State, in the respective petitions.

...

CORAM : RAVINDRA V. GHUGE

&

Y. G. KHOBRAGADE, JJ.

DATE :- 01st August, 2024

Per Court :-

1. In these petitions, the identically placed Petitioners have put forth identical prayer clauses B and C, which read as under :-

“B. The respondent authority may kindly be direct to give/release/grant the benefits of Ekstar (one step pay scale) from the initial date of appointment as per G. R. dated 06.08.2002 as the petitioners are working in Tribal/PESA/difficult area & direct the respondents to pay the salary of the petitioners as per the Ekstar (one step pay scale) till the petitioners working in Tribal/PESA/difficult area. By issuing writ of Mandamus or any other appropriate writ, order or direction as the case may be.

C. The Respondent authority may kindly be direct the resp. No. 6 to 8 to pay arrears of salaries of the petitioners as per the Ekstar (one step pay scale) from the initial dates of appointment as they are working in Tribal Area from their appointment till today as per G. R. dated 06.08.2022 issued by the Resp. No. 1 & further directs not to revoke the benefits of Ekstar (one step pay scale) as per G. R. dated 06.08.2002 though petitioner entitled for time bound promotion.”

2. We have considered the submissions of the learned Advocates for the respective sides and we have perused the series of orders passed by this Court in favour of similarly situated Petitioners, which have been annexed to these petitions.

3. 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, dated 21/12/2021, is applicable to all such cases.

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

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

(i) The concerned Education Officer of Zilla Parishad shall scrutinize the records of all these Petitioners and the places at which they are deployed for performing their duties, within a period of 30 days from today.

(ii) Those cases, which are without any legal impediment after verification, shall be cleared by the Education Officer 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 their arrears as well as their current salaries, within

a period of 45 days thereafter.

(iii) After scrutiny, if any of these Petitioners, on the basis of their records, are found to be ineligible, the Education Officer, Zilla Parishad, would issue notices to each of such Petitioners, so as to enable them to appear before the said authority and address the Education Officer, Zilla Parishad.

(iv) After such hearing, which shall be completed within 90 days, the Zilla Parishad shall pass appropriate orders and grant benefits of one-step pay-scale to those candidates, who are found to be eligible.

(v) 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.

6. We make it clear that if the Model Code of Conduct is introduced, that would not be an impediment for the compliance of this order.

kps

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)