



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

910 WRIT PETITION NO. 9236 OF 2024

**UDAYKUMAR SURESH VALVI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS**

**AND
911 WRIT PETITION NO. 9253 OF 2024**

**MAHESH GOVIND PATIL AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA ITS SECRETARY AND OTHERS**

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Advocate for the Petitioners : Mr. Maheshkumar S. Sonawane h/f.
Chaudhari Krishna Uddhav
AGP for Respondents/State : S/Shri S.R. Wakale & B.M. Dhanure
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**CORAM : RAVINDRA V. GHUGE &
Y.G. KHOBRAGADE, JJ.
DATE : 27th August, 2024**

P.C. :-

1. The Petitioners are identically placed. They pray for benefits of one step promotional pay scale from the date they have been working in the Tribal / PESA/ difficult area, in the light of the GR dated 06.08.2002 and till they are working in such Tribal / PESA / difficult area.

2. We have considered the submissions of the learned Advocate for the Petitioners and the learned A.G.P for the State Authorities and we have

perused the series of orders passed by this Court in favour of similarly situated Petitioners, which have been annexed to the 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, **both these Writ Petitions are allowed** in the following terms:-

(i) The impugned action of recovery initiated by the respondents is quashed and set aside.

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

(iii) 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 alongwith 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, 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.

(v) After such hearing, which shall be completed within 30 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.

(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.

[Y.G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]