



action has been carried out in view of speaking order dated 06.12.2024.

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

**WRIT PETITION NO. 11192 OF 2024
RAMESH RAGHUNATH DESALE**

VERSUS

**THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS
WITH**

**WRIT PETITION NO. 11196 OF 2024
DILIP PANDURANG KHOBRAGADE AND OTHERS**

VERSUS

**THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS
AND**

**WRIT PETITION NO. 11195 OF 2024
VILAS DANGAL DHANGAR AND OTHERS**

VERSUS

**THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS**

...

**WRIT PETITION NO. 11194 OF 2024
GORAKH HARIBHAU SAVLE AND OTHERS**

VERSUS

**THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS**

...

**WRIT PETITION NO. 11193 OF 2024
GANESH GAJARU CHAVAN AND OTHERS**

VERSUS

**THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS**

...

**Advocate for Petitioners : Mr. Shinde Balaji S.
AGP for Respondents/State : Mr. V.M. Kagne
Advocate for Respondent Nos. 6 to 8 : Mr. Pravin S. Patil**

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**CORAM : S. G. MEHARE AND
SHAILESH P. BRAHME, JJ.**
DATE : 18th NOVEMBER 2024

PER COURT :

. Issue notice to the respondents. Learned AGP waives service of notice for respondents/State. Learned Counsel Mr. Patil waives service of notice for respondent nos. 6 to 8.

2. The matters are taken up for final disposal. The petitioners have prayed for following reliefs :

(A) This writ petition may kindly be allowed.

(B) This Honorable Court, by issuing appropriate writ, order, directions, may please to direct the respondents no.6 to 8 to continue to pay salaries as per Ekstar (One-step pay scale) and arrears of salaries of the petitioner as per Ekstar i.e. pay scale of Rs.72100/-) after completion of 10 years till they are working in Tribal Area/PESA as per judgment of this Court dated 14.07.2021 in W.P. St. no.9543/2021 in case of Baban Chavan and consequently quash and set aside, action of recovery of salary and action of withdrawal of Ekstar.

(C) This Honorable Court, by issuing appropriate writ, order, directions, may please to direct respondents no.6 to 8 to fix the pay scale, as per Para-6-B of G.R. dated 14.05.2019 and directed to be paid the salaries petitioner as per one step pay scale or pay scale which is more benefited to the petitioner and also directed to made available option to apply the time bound promotion scale at appropriate time as per G.R. dtd 14.05.2019.

3. The present petitions are covered by various orders passed by the coordinate bench. One of such order is at Exhibit-I passed in Writ Petition No.7972/2024 in the matter of **Yogeshwaranand Pralhad Giri and Others Vs. The State of Maharashtra and Others**. We propose to pass the same order.

4. In view of the above, 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) Respondent No.6/Chief Executive Officer, Zilla Parishad, Nandurbar shall scrutinize the records of these petitioners and the places at which they are deployed for performing their duties, within a period of 60 days from today, considering the Government Resolution dated 29/02/2024.

(iii) The 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 arrears as well as their current salary, within a period of 30 days, thereafter.

(iv) After scrutiny, if the petitioners, on the basis of their record, are found to be ineligible, Respondent No.6, would issue notice to the petitioners, so as to enable them to appear before the said authority and address it.

(v) After such hearing, which shall be completed within 120 days, Respondent No.6 shall pass an appropriate order and grant benefits one-step pay-scale to those candidates, who are found to be eligible.

(vi) The petitioners, who may suffer an adverse order after the

above stated exercise is completed, shall be at liberty to avail of a statutory remedy, as is permissible in law and in the light of the Government Resolution dated 29.02.2024 issued by the General Administration Department.

[SHAILESH P. BRAHME, J.]

[S. G. MEHARE, J.]

Najeeb..