

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 12319 OF 2024

Deshmukh Sharad Madhukar And Others

VERSUS

The State Of Maharashtra Through The Chief Secretary And Others

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Advocate for the Petitioner : Mr. Shelke Shivaji T.

AGP for the Respondent/State : Mr. S.P. Joshi

Advocate for Respondent Nos.7 to 9 : Mr. S.S. Wagh

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CORAM : S.G. MEHARE AND
SHAILESH P. BRAHME, JJ.

DATED : NOVEMBER 14, 2024

PER COURT:-

1. Issue notice to the respondents. Learned AGP waives service of notice for respondent nos.1 to 6. Learned counsel Mr. S.S. Wagh waives service of notice for respondent nos. 7 to 9.
2. Considering the exigency, by consent taken up for final disposal at the admission stage.
3. The petitioner is claiming service benefit of one step promotional pay scale as per Government Resolution dated 06.08.2002 and letter dated 09.09.2024 issued by the School Education and Sports Department along with consequential relief. The issue involved in this petition is no more *res integra*. Learned counsel for the petitioner refers to the order dated 18.10.2023 passed in Writ Petition No.12217 of 2023. We propose to adopt the same course and pass the following order.

4. Writ Petition is disposed of on the following terms :
- (i) The Education Officer (Secondary), Zilla Parishad, Ahmednagar/Respondent No.5 shall scrutinize the records of all these petitioners and the places, at which they are deployed for performing their duties, within eight weeks.
 - (ii) Those cases, which do not suffer from any legal impediment after verification, shall be cleared by respondent no.5 and the salary benefits, to which they 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, along with their arrears, as well as their current salaries, within four weeks thereafter.
 - (iii) After scrutiny, if any of these petitioners, on the basis of their records, are found to be ineligible, respondent no.5 would issue notices to each of such petitioners, so as to enable them to appear and address him.
 - (iv) After such hearing, which shall be completed within four months from today, respondent no.5 shall pass appropriate orders and grant benefits of one-step pay-scale only 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.

(SHAILESH P. BRAHME, J.)

(S.G. MEHARE, J.)