

WRIT PETITION NO. 14056 OF 2024

Kadu s/o. Abhiman Bhamre and Others	...	Petitioners
versus		
The State of Maharashtra and Others	...	Respondents

Mr.C.K.Bhangoji for the Petitioners.
Ms.Ashwini A. Purav, AGP for Respondent Nos. 1 to 5-State.

**CORAM : RAVINDRA V. GHUGE &
M.M. SATHAYE, JJ.**

DATE : 17TH OCTOBER, 2024

P.C.:

1. In this Petition, the identically placed Petitioners have put forth prayer clauses (B), (C) & (D), which read as under :-

“(B) By issuing writ of mandamus or any other appropriate writ, order or direction in like nature, direct the Respondent No.4 to grant the benefit of Ekstar (One step pay scale) under G.R.dt. 06/08/2002 to petitioners and further direct the Respondents to pay retirement benefit by including the Ekstar (One step pay scale) to the petitioners.

C) By issuing writ of mandamus or any other appropriate writ, order or direction in like nature, direct the Res. No.4 to pay the arrears to salaries to the petitioners as per the Ekstar (One step Pay Scale) in view of the G.R.dt. 06/08/2002.

D) By issuing writ of mandamus or any other appropriate writ, order or direction in like nature, Direct the Respondent No.4 to take appropriate decision on the representation dt. 21/12/2023 made by the petitioners for grant of benefit of one step pay scale in view of the G.R. dt. 06/08/2002 as early as possible”.

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

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 Petition), 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.

5. In view of the above, this **Writ Petition is allowed** in the following terms :-

- (i) The Additional Commissioner, Tribal Development Department, Nashik, Respondent No.4, shall scrutinize the

records of all these Petitioners and the places, at which they are deployed for performing their duties, within a period of 21 days.

(ii) Those cases, which do not suffer from any legal impediment after verification, shall be cleared by Respondent No.4 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 a period of four weeks thereafter.

(iii) After scrutiny, if any of these Petitioners, on the basis of their records, are found to be ineligible, Respondent No.4, would issue notices to each of such Petitioners, so as to enable them to appear before the said authority and address Respondent No.4.

(iv) After such hearing, which shall be completed within four months from today, Respondent No.4 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.

(M.M. SATHAYE, J.)

(RAVINDRA V. GHUGE, J.)