



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 2973 OF 2024

MAYABAI D/O NAMDEORAO DIWATHE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA, RURAL DEVELOPMENT DEPT., THR. ITS SEC-
RETARY, MUMBAI AND ORS.

Mr. Chinmay Dharmadhikari, Advocate for the Petitioner/s
Mr. A.S. Fulzele, Addl. G.P. for the Respondent Nos.1 to 3/State
Mr. S.R. Agrawal, Advocate for the respondent Nos.4 and 5

CORAM : BHARATI DANGRE & ABHAY J. MANTRI, JJ.
DATE : 09.10.2024

P.C.

1. Mr. Dharmadhikari, learned counsel for the petitioners, in support of the relief sought in this petition, would place reliance upon the judgment of this Court in *Vijay Baburao Bansod and Others Vs. State of Maharashtra and others* (Writ Petition No.5063 of 2024), decided on 01.10.2024 and request to make the Rule absolute in terms of prayer clause (B), by directing the Chief Executive Officer, Zilla Parishad Gadchiroli to revise Tribal Incentive Allowance along with arrears as per the pay-scales of the 6th and 7th pay commission, under the provisions of the Government Resolution (GR) dated 6th August 2002.

2. Mr. Agrawal, learned counsel, representing the Zilla Parishad, Gadchiroli, does not dispute the fact that the case of the petitioners would be covered by the judgment dated 01.10.2024 and the petitioners deserve a similar treatment.

3. In the wake of the above, we deem it appropriate to make the Rule absolute in terms of prayer clauses (B & C), for the reasons which were already recorded in the judgment, dated 01.10.2024 in the case of ***Vijay Baburao Bansod and Others*** (supra). Prayer clauses (B & C) of the present petition, reads as under:

“B. Direct the Respondent authorities to release/Pay the entire arrears towards Tribal Incentive Allowance to Petitioner Nos. 1 to 71 from 01.01.2006 to 31.12.2015 calculated at the rate of 15% of the basic pay, revised as per 6th Pay Commission, subject to maximum amount of Rs.1,500/- per month in compliance with the Government Resolution dated 06.08.2002 (ANNEXURE-D) issued by Respondent No.3 and communication dated 17.06.2020 (ANNEXURE-H) issued by Section Officer working in Respondent No.1 Department”

C. Direct Respondent No.4, Zilla Parishad, Gadchiroli to release/Pay the entire arrears towards Tribal Incentive Allowance to Petitioner Nos. 71 to 87 from 01.01.2006 to 31.12.2015 calculated at the rate of 15% of the basic pay, revised as per 6th Pay Commission, subject to maximum amount of Rs.1,500/- per month, of their respective deceased spouses in compliance with the Government Resolution dated 06.08.2002 (ANNEXURE-D) issued by Respondent No.3 and communication dated 17.06.2020 (ANNEXURE-H) issued by Section Officer working in Respondent No. 1 Department;”

4. We expect the Zilla Parishad Gadchiroli to release the payment to the petitioners, within period of three months from today.

5. The petition is **disposed off** in the above terms.

[ABHAY J. MANTRI, J]

[BHARATI DANGRE, J]