



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

WRIT PETITION NO. 932 OF 2025

SHAIKH MUKHTAR KHADAR AND OTHERS

VERSUS

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

...

Shri Balaji S. Shinde, Advocate h/f Shri Bhosale Sanjaykumar B., Advocate for the Petitioners.

Shri V.M. Kagne, AGP for Respondent Nos.1 and 2/State.

Shri U.B. Bondar, Advocate for Respondent Nos.3 and 4.

...

CORAM : MANGESH S. PATIL

&

PRAFULLA S. KHUBALKAR, JJ.

DATE : 17th February, 2025

Per Court :-

The petitioners are drivers engaged for driving ambulances at various Primary Health Centres functioning under the Zilla Parishad, Latur, engaged through the contractor. By invoking Article 226 of the Constitution of India, they are now claiming pay parity with the ambulance drivers on regular establishments not only with the Zilla Parishad, but even with the State Government.

2. We have heard both sides.

3. It is matter of record that there are several decisions of this Court in similar matters, holding contractual ambulance drivers entitled to have salary in the pay scale at the lowest grade. They have also been held entitled to have arrears from the date of petitions. The decision in ***Dhiraj Sudhakar Rao Wankhede and others vs. The Zilla Parishad, Chandrapur and others***, Writ Petition No.2247/2014 decided on 20.11.2019 at Nagpur Bench, was referred to and relied upon by the coordinate bench in the matter of ***Ashok Dhondiba Meher and others vs. State of Maharashtra and others***, Writ Petition (stamp) No.92361/2020 (principal seat) with connected petitions. Similar view taken therein by the order dated 08.12.2020 has been confirmed by the Supreme Court in the speaking order passed in Special Leave Petition (C) No.8395/2021 by order dated 23.03.2022.

4. In the light of the above, the Writ Petition is partly allowed. It is held that the petitioners are entitled to salary as per the minimum pay scale at the lowest scale from the date of petition. Arrears shall be disbursed within eight weeks.

5. Though there is prayer clause C, the learned advocate for the petitioners, on instructions, submits that they are not seeking any relief in terms of that prayer.

kps

(PRAFULLA S. KHUBALKAR, J.) (MANGESH S. PATIL, J.)