



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

50 WRIT PETITION NO. 8788 OF 2025

Bhaiyasaheb Digambar Nikumbhe And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

...

AND

62 WRIT PETITION NO. 8800 OF 2025

Ravindra Ramchandra Patil And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

...

AND

126 WRIT PETITION NO. 3977 OF 2025

Dinesh Amrut Sonwane And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

...

AND

182 WRIT PETITION NO. 6856 OF 2025

Ratna Ashok Dhangar And Others

VERSUS

The State Of Maharashtra Through Its Secretary And Others

...

- Mr. S. S. Kulkarni, Advocate h/f. Mr. Yogesh V. Jaybhaye, Advocate for the Petitioners in all Writ Petitions.
- Mr. S. D. Ghayal, Addl. GP, Mr. R. K. Ingole, Mr. S. V. Hange, AGPs for Respondents - State in all Writ Petitions.
- Mr. R. N. Jain, Advocate for Respondents - Zilla Parishad in all Writ Petitions

...

**CORAM : MANISH PITALE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 21.07.2025

PER COURT :

1. Although these petitions are listed for the first time for consideration before this Court, we find that respondents herein are State Authorities and the Zilla Parishad. The respondents are represented by learned AGP as well as Mr. Jain, learned counsel appearing for respondent – Zilla Parishad.

2. The petitioners have prayed for following reliefs :-

[A] Rule may kindly be issued.

[B] This Honourable 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 petitioners as per Ekstar (One-step pay scale), after completion of 10 years till they are working in Tribal Area/PESA as per judgment of this court 14.07.2021 in W.Pst.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 (One-step pay scale) and direct to refund the amount of salary recovered from petitioners if any, as per impugned orders.

[C] This Honourable Court, by issuing appropriate writ, order, directions, may please to direct respondents no. 6 to 9 to fix the pay scale, as per Para-6 of G.R. dated 14.05.2019 and direct to pay the salaries to the petitioners as per one step pay scale or pay scale which is more benefited to the petitioners and also direct to make available option to apply the time bound promotion scale at appropriate time as per G.R. dtd. 14.05.2019.

[D] Pending hearing and final disposal of this writ petition, kindly direct the respondents to pay monthly salary of the petitioners as per Ekstar (One-step pay scale) as earlier paid to them & stay recovery claimed from petitioners.

3. In Writ Petition No. 8800 of 2025, additional prayer clause 'C' seeks a direction to respondent Nos. 5 to 8 therein to execute order dated 23.08.2025 expeditiously. We are of the opinion that since all the petitions are proposed to be disposed of as per directions given herein below, the aforesaid prayer Clause 'C' in this Writ Petition No. 8800 of 2025 shall be deemed to have been considered and this Writ Petition along with other three writ petitions is being disposed of in a similar manner.

4. It is brought to our notice that coordinate Division Benches of this Court have passed various orders, one of which is placed for consideration of this Court along with petitions. The said orders show that such writ petitions have been allowed by making certain observations and imposing certain conditions. We are also inclined to allow these petitions on the same lines.

5. Accordingly the 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.

(Y. G. KHOBRADE, J.)

(MANISH PITALE, J.)