



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

4 WRIT PETITION NO. 10293 OF 2025

SANTOSH YASHWANT NANDRE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

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Mr S. U. Chaudhari h/f Mr. M. R. Suryawanshi, Advocate for the
Petitioners

Mr. S. K. Tambe, Addl. GP for the Respondents/State

Mr. Rakesh Jain, Advocate for Respondent Nos. 5, 6, 7 and 8.

**CORAM: SMT. VIBHA KANKANWADI AND
HITEN S. VENEGAVKAR, JJ.**

DATE : 1st DECEMBER, 2025

P. C. :-

1. Issue notice to the Respondents.
2. Learned AGP waives notice for Respondent Nos.1 to 4.
Learned Advocate Mr. Jain waives notice for Respondent Nos. 5 to 8.
3. The present petition has been filed for following reliefs:-

"(B) By issuing writ of Mandamus or any other appropriate writ, order or direction as the case may be, the respondent authorities may kindly be direct to give/release the benefits of Ekstar (one step from the initial date of pay scale) from appointment as per

G.R. dated 06.08.2002 as they are working in Tribal/PESA/difficult area & direct the respondents to pay the salary of the petitioners as per the Ekstar (one step pay scale) till the petitioners working in Tribal/PESA/difficult area and consequential benefits including arrears.

(C) The Respondent authorities may kindly be direct to pay arrears of salaries of the petitioners as per the Ekstar (one step pay scale) from the initial dates of appointment as they are working in Tribal Area from their appointment till today as per G.R. dated 06.08.2002 issued by the Resp.No.1 & further directs not to revoke the benefits of Ekstar (one step pay scale) as per G.R. dated 06.08.2002 though petitioner entitled for time bound promotion."

4. Heard learned Advocate Mr. Chaudhari h/f Mr. Suryawanshi for the Petitioners. The Petitioners are working in Zilla Parishad- School. The school of the Petitioners is located in tribal area and since the initial date of appointment, the Petitioners are officiating their duties in the Tribal/PESA/ difficult area and even till today they are working there. Respondent No.1 had issued Government Resolution dated 06.08.2002 and decided to give additional benefit of one step pay scale to the employees working in Tribal/PESA area. However, the Respondents have not given the effect of the said Government Resolution to the Petitioners. There is no noting in the service record of the Petitioners to that effect.

Respondent No. 6 had granted time bound promotion pay scale after completion of 12 years service to the Petitioners. Even the 7th pay commission has been made applicable, however, Respondent Nos.6 and 7 have without any order or behind the back of the employees has withdrawn Ekstar (one step pay scale) on the ground that time bound promotion/senior pay scale/Chattopadhyay is made applicable to them. Petitioners are similarly situated and Gadchiroli Zilla Parishad had rightly interpreted Government Resolution dated 06.08.2002 and then clarified on 18.11.2014 that effect is required to be given to the said G.R. dated 06.08.2002. Similar order was passed by Zilla Parishad, Chandrapur and therefore, Petitioners have approached this Court.

5. The first and the foremost fact that is required to be noted is that it appears that there was no representation made by the Petitioners to Respondent Nos. 5 to 8 and especially Respondent No.5. Though in similarly situated Zilla Parishads, the G.R. might have been implemented that does not mean that the representation should not be made by the Petitioners. The Petitioners themselves have annexed copy of order passed by this Court in ***Writ Petition No. 13241 of 2024 (Dinesh Eknath Patil and***

others Vs. State of Maharashtra and others) passed on **04/12/2024**, wherein it appears that present Respondent No.5 was Respondent No.6. This Court had then directed that Respondent-Chief Executive Officer, Zilla Parishad, Nandurbar shall scrutinize the records of those Petitioners and the places at which they were deployed for performing their duties and then decide regarding the implementation of the Government Resolution. In fact, present Respondent No.5 ought to have then scrutinized the record of all the employees under the Zilla Parishad School and ought to have taken a decision once for all for all the employees. Again it appears that bunch of employees filed Writ Petitions bearing Nos. 8788 of 2025, 8800 of 2025, 3977 of 2025 and 6856 fo 2025 which came to be decided by this Court on 21.07.2025. Therein also a present Respondent No.5-Chief Officer, Zilla Parishad, Nandurbar was party and similar directions have been given. We intend to issue similar directions in respect of the Petitioners also, however, before that the Petitioners should file a representation to Respondent No.5.

6. Accordingly, Writ Petition is allowed on following terms:

- (i) The Petitioners are at liberty to file representation to Respondent No.5 within a period of 15 days from today.

(ii) Respondent No.5-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, from the date of receipt of a representation, 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.5 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.5, 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.5 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 Administrative Department.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

ssp