



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

963 WRIT PETITION NO. 10020 OF 2025

RAMDAS DAGADU LAGAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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WITH WRIT PETITION NO. 3114 OF 2025
WITH WRIT PETITION NO. 10034 OF 2025
WITH WRIT PETITION NO. 10039 OF 2025
WITH WRIT PETITION NO. 10048 OF 2025
WITH WRIT PETITION NO. 10051 OF 2025
WITH WRIT PETITION NO. 10024 OF 2025
WITH WRIT PETITION NO. 10025 OF 2025
WITH WRIT PETITION NO. 10023 OF 2025
WITH WRIT PETITION NO. 10049 OF 2025
WITH WRIT PETITION NO. 10027 OF 2025
WITH WRIT PETITION NO. 10054 OF 2025
WITH WRIT PETITION NO. 10050 OF 2025
WITH WRIT PETITION NO. 10046 OF 2025
WITH WRIT PETITION NO. 10055 OF 2025
WITH WRIT PETITION NO. 10044 OF 2025
WITH WRIT PETITION NO. 10058 OF 2025
WITH WRIT PETITION NO. 10059 OF 2025
WITH WRIT PETITION NO. 10047 OF 2025
WITH WRIT PETITION NO. 10040 OF 2025

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964 WRIT PETITION NO. 15188 OF 2025

SARANG YOGENDRASING PARDESHI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS

...

965 WRIT PETITION NO. 15189 OF 2025

DIPAK SUDAM MALI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS

...

966 WRIT PETITION NO. 15190 OF 2025

MANOHAR VAMANRAO MARATHE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

967 WRIT PETITION NO. 15191 OF 2025

SANDIP JIJABRAO SALUNKE AND OTHERS
VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS

...

968 WRIT PETITION NO. 15192 OF 2025

BHAGURAO DHONDIBA JADAHV

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS

...

969 WRIT PETITION NO. 15193 OF 2025

TUSHAR JAMSING NAIK AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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970 WRIT PETITION NO. 15194 OF 2025

BABU SINGA VALVI AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS

...

971 WRIT PETITION NO. 15195 OF 2025

KAILAS RAGHUNATH PADMAR AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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972 WRIT PETITION NO. 15196 OF 2025

MOHAN LOTAN AHIRRAO AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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973 WRIT PETITION NO. 15197 OF 2025

PANKAJ VINAYAK PATHAK AND ANOTHER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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975 WRIT PETITION NO. 15199 OF 2025

SUNIL RAMDAS GHARATE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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976 WRIT PETITION NO. 15200 OF 2025

SHIVAJI PITAMBAR CHAUDHARI AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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977 WRIT PETITION NO. 15201 OF 2025

HANSABEN KIRTIKUMAR PADAVI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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978 WRIT PETITION NO. 15202 OF 2025

VINAYAK SAKHARAM SURYAWANSHI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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979 WRIT PETITION NO. 15203 OF 2025

VIJAY GULABRAO GHARATE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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980 WRIT PETITION NO. 15204 OF 2025

VISHAL TUKARAM PATIL AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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981 WRIT PETITION NO. 15205 OF 2025

ASHOK POPAT NIKAM AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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982 WRIT PETITION NO. 15206 OF 2025

KISHOR KRISHNA VINCHURKAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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983 WRIT PETITION NO. 15207 OF 2025

JASPALSING KESARSING VALAVI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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1040 WRIT PETITION NO. 15174 OF 2025

RAKESH PUNJRU MAHIRE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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1043 WRIT PETITION NO. 15179 OF 2025

SUDHAKAR RAMDAS SAINDANE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Mr. K.U. Chaudhari h/f Mr. M.R. Suryawanshi and Mr. K.U. Chaudhari, Advocates
for petitioners in respective petitions

Mr. A.B. Girase, Mr. V.M. Kagne, Mr. R.S. Wani, Mr. A.M. Phule, Mr. N.S. Tekale and
Mr. S.K. Tambe, GP/AGPs for respondents/State in respective petitions

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

DATE : 16th DECEMBER, 2025

ORDER :

- . Issue notice to the respondents.
- 2 Learned GP / AGPs waive notices for respective respondents.
- 3 All these petitions are filed for same and similar reliefs. The
prayer clauses 'B' and 'C' in Writ Petition No.10020 of 2025 read as under :

“(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 directed 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 and 29.02.2024 as they are working in Tribal / PESA / difficult area and 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 directed 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 Respondent No.1 & further directs not to revoke the benefits of Ekstar (one step pay scale) as per G.R. dated 06.08.2002 and 29.02.2024 though petitioner entitled for time bound promotion.”

4 Heard learned Advocate appearing for petitioners in all these petitions. The petitioners are working in Zilla Parishad – School. The school of 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 said Government Resolution to petitioners. There is no noting in the service record of petitioners to that effect. Respondent No. 6 had granted time bound promotion pay scale after completion of 12 years service to 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 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 Government Resolution 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 petitioners to respondent Nos.5 to 8 and especially respondent No.6. Though in similarly situated Zilla Parishads, the Government Resolution might have been implemented, that does not mean that the representation should not be made by petitioners. The petitioners themselves have annexed copy of order passed by this Court in **Dinesh Eknath Patil and others vs. The State of Maharashtra and others** in Writ Petition No.13241 of 2024 passed on **04.12.2024**, wherein it appears that respondent No.6 was Chief Executive Officer. This Court had then directed that Respondent – Chief Executive Officer, Zilla Parishad, Nandurbar shall scrutinize the record of those petitioners and the places at which they were deployed for performing their duties and then decide regarding the implementation of Government Resolution. In fact, present respondent No.6 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 Chief Officer, Zilla Parishad, Nandurbar was party and similar directions have been given. We intend to issue similar directions in respect of petitioners also, however, before that the petitioners should file a representation to respondent No.6. Learned AGP informs that Government had also taken out Government Resolution dated 14.08.2008, wherein clarification has been issued and then it is stated that the scheme is not applicable to those employees who are working in the tribal and PESA area and were never transferred from such area to other areas and, therefore, while giving directions note be taken in respect of said Government Resolution.

6 Accordingly, Writ Petitions are allowed on following terms :

- (i) The petitioners are at liberty to file representation to respondent No.6 within a period of 15 days from today.
- (ii) Respondent No.6 shall scrutinize the record 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. All the Government Resolutions including Government Resolution dated 14.08.2008 be considered.

(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 one-step pay scale made available to the employees working in 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 petitioners, 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 Government Resolution dated 29.02.2024 issued by the General Administrative Department.

(HITEN S. VENEGAVKAR, J.)

(SMT. VIBHA KANKANWADI, J.)