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

WRIT PETITION NO.15002 OF 2025

Rajendra Sajan Patil & others

... **PETITIONERS**

VERSUS

The State of Maharashtra & others.

... **RESPONDENTS**

.....
Mr. S.U. Chaudhari, Advocate holding for
Mr. M.R. Suryawanshi, Advocate for petitioners
Mr. S.B. Pulkundwar, A.G.P. for respondents No.1 to 4
.....

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

DATE : 12th DECEMBER, 2025

ORDER :

Issue notice to the Respondents returnable forthwith.

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 petitions have 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 and 29/02/2024 as

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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 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 and 29/02/2024 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 and 29/02/2024 though petitioners entitled for time bound promotion.”

4. Heard learned Advocate Mr. Chaudhari holding for 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

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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

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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 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.6 within a period of 15 days from today.
- (ii) Respondent No.6- Education Officer (Secondary), 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 representation, considering the Government Resolutions dated 6/8/2002 and 29/02/2024.
- (iii) The cases which are without any legal impediment after verification, shall be cleared by Respondent No.5 and the salary

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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 of 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 Resolutions dated 6/8/2002 and 29/02/2024 issued by the General Administration Department.

(HITEN S. VENEGAVKAR)
JUDGE

(SMT. VIBHA KANKANWADI)
JUDGE

fmp/-