



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

WRIT PETITION NO. 7269 OF 2025

SUNIL MANGILAL PADVI AND OTHERS

VERSUS

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

...

Shri Murge Estling S., Advocate for the Petitioners.

Shri V.M. Kagne, AGP for the Respondents/State.

...

CORAM : RAVINDRA V. GHUGE

&

Y. G. KHOBRAGADE, JJ.

DATE :- 25th June, 2025

Per Court :-

1. These identically placed Petitioners have put forth prayer clauses (B) and (C), which read as under:-

“B) *By issuing writ of mandamus or any other appropriate writ, order or direction in like nature, direct the Respondent No. 4 to give /re-grant the benefit of Ekstar (One step pay scale) under G.R.dt.06/08/2002 which was withdrawn by misinterpreting the provisions of G.R. dt. 06/08/2002 till they working in PESA and direct the Respondent to pay the salary of the petitioners as per the Eksatr (One step pay scale) till the petitioners working in tribal/PESA.*

C) *By issuing writ of mandamus or any other appropriate writ, order or direction in like nature, direct the Respondents No. 4 to pay the*

arrears of salaries of the petitioners as per the Ekstar (One step Pay Scale) from the respective dates of withdrawal of Ekstar and refund recovered amount to the petitioners and further directs not to revoke the benefits of Ekstar (One step Pay Scale) as per G.R. dt. 06.08.2002 though petitioner entitled for time bound promotion.”

2. We have considered the submissions of the learned Advocates for the respective sides and we have perused the series of orders passed by this Court in favour of similarly situated Petitioners, which have been annexed to the Petition.

3. In view of the above, we do not find any such circumstances, which would convince us to take a different view.

4. The learned Advocates representing the respective parties in those cases (orders which have been annexed to the Petitions), have clearly stated that the order passed by this Court at the Principal Seat, in Writ Petition No. 8824 of 2021 (***Hiralal Jagannath Bawa and others vs. The State of Maharashtra and others***), dated 21.12.2021, is applicable to all such cases.

5. In view of the above, **this Writ Petition is allowed** in the following terms:-

i. Respondent No.4/ Additional Commissioner, Tribal Development Department, Nashik, shall scrutinize the records of these Petitioners and the places at which they are deployed for performing their duties, within a period of 30 days from today, considering the Government Resolution dated 29.02.2024.

ii. The cases which have no legal impediment after verification, shall be cleared by Respondent No.4 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.

iii. 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.

iv. After such hearing, which shall be completed within 120 days, Respondent No.4 shall pass an appropriate order and grant benefits of one-step pay-scale to those candidates, who are found to be eligible.

v. 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.

kps (Y. G. KHOBRADE, J.) (RAVINDRA V. GHUGE, J.)