

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

(907) WRIT PETITION NO.72 OF 2025

1. Kirti Jayram Madha)
2. Prabhu Bhiva Ebhad)
3. Vijay Sona Bhadange) ... Petitioners

Versus

1. The State of Maharashtra,)
Through its Secretary,)
Tribal Development Department,)
Mantralaya, Mumbai – 32)
2. The State of Maharashtra,)
Through its Secretary, the Finance)
Department, Mantralaya, Mumbai – 32)
3. The Commissioner,)
Tribal Development Department,)
Adivasi Bhavan, Old Agra Road,)
Nashik, Dist. Nashik)
4. The Project Officer,)
Tribal Integrity Development Project,)
Dahanu, Dist. Palghar) ... Respondents

AND

(908) WRIT PETITION NO.1813 OF 2025

1. Yogita Yadav Gaikwad)
2. Sapna Kailash Bagul)
3. Sonali Devaji Hadas)
4. Jyoti Pandit Tungar)
5. Bhoje Ranjana Baliram)
6. Anil Ramchandra Gaikwad)
7. Chandrakala Laxman Rathod)
8. Kalpana Murlidhar Chaudhari)
9. Yeshwant Parshuram Gaikwad) ... Petitioners

Versus

1. The State of Maharashtra,)
Through its Secretary,)
Tribal Development Department,)
Mantralaya, Mumbai – 32)

2. The State of Maharashtra,)
Through its Secretary, the Finance)
Department, Mantralaya, Mumbai – 32)
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Tribal Development Department,)
Adivasi Bhavan, Old Agra Road,)
Nashik, Dist. Nashik)
4. The Project Officer,)
Tribal Integrity Development Project,)
Dahanu, Dist. Palghar)
5. The Project Officer,)
Tribal Integrity Development Project,)
Kalvan, Dist. Nashik) ... Respondents

AND

(909) WRIT PETITION NO.2660 OF 2025

1. Pankaj Bhagirath Khairnar)
2. Vanita Chandrakant Padvi) ...Petitioners

Versus

1. The State of Maharashtra,)
Through its Secretary,)
Tribal Development Department,)
Mantralaya, Mumbai – 32)
2. The State of Maharashtra,)
Through its Secretary, the Finance)
Department, Mantralaya, Mumbai – 32)
3. The Commissioner,)
Tribal Development Department,)
Adivasi Bhavan, Old Agra Road,)
Nashik, Dist. Nashik.)
4. The Project Officer,)
Tribal Integrity Development Project,)
Kalvan, Dist. Nashik)
5. The Project Officer,)
Tribal Integrity Development Project,)
Jawhar, Dist. Palghar) ... Respondents

AND

(910) WRIT PETITION NO.2661 OF 2025

1. Sita Kantilal Gavli)
2. Jyoti Krishna Thakare)
3. Swapnil Sudhakar Gore)
4. Yuvraj Soma Dalvi)
5. Pratibha Pandu Khirari)
6. Vandana Rajaram Gaikwad)
7. Suresh Vithal Thakare)
8. Sandip Yeshwant Bhoys)
9. Sangita Suresh Bagul)
10. Chitrkala Jivala Bhoys)
11. Vaishali Shankar Chavan)
12. Anusaya Laxman Bhoys)
13. Mohana Yeshwant Raut)
14. Komal Kashiram Jadhav) ... Petitioners

Versus

1. The State of Maharashtra,)
Through its Secretary,)
Tribal Development Department,)
Mantralaya, Mumbai – 32)
2. The State of Maharashtra,)
Through its Secretary, the Finance)
Department, Mantralaya, Mumbai – 32)
3. The Commissioner,)
Tribal Development Department,)
Adivasi Bhavan, Old Agra Road,)
Nashik, Dist. Nashik)
4. The Project Officer,)
Tribal Integrity Development Project,)
Kalvan, Dist. Nashik) ... Respondents

AND

(911) WRIT PETITION NO.2662 OF 2025

1. Subhash Jivya Boba)
2. Romu Vikal Lakhat)
3. Ishwati Ramji Karmoda)
4. Vijay Trambak Padvi)
5. Sanjay Pandurang Gavitt)
6. Anil Chaitya Sambar)
7. Kalu Anil Wangad)
8. Sanjay Krishan Nadge) ... Petitioners

Versus

1. The State of Maharashtra,)
Through its Secretary,)
Tribal Development Department,)
Mantralaya, Mumbai – 32)
2. The State of Maharashtra,)
Through its Secretary, the Finance)
Department, Mantralaya, Mumbai – 32)
3. The Commissioner,)
Tribal Development Department,)
Adivasi Bhavan, Old Agra Road,)
Nashik, Dist. Nashik)
4. The Project Officer,)
Tribal Integrity Development Project,)
Dahanu, Dist. Palghar) ... Respondents

AND

(912) WRIT PETITION NO.2663 OF 2025

1. Nathuram Mahadya Lakhat)
2. Sakharam Soma Gavit)
3. Bharti Risha Lakhat)
4. Sonu Java Bhoya)
5. Sudhir Yeshwant Bhoye)
6. Shila Babalu Bhoye)
7. Surekha Subhash Vanaga)
8. Hemant Bhagwan Dalvi) ... Petitioners

Versus

1. The State of Maharashtra,)
Through its Secretary,)
Tribal Development Department,)
Mantralaya, Mumbai – 32)
2. The State of Maharashtra,)
Through its Secretary, the Finance)
Department, Mantralaya, Mumbai – 32)
3. The Commissioner,)
Tribal Development Department,)
Adivasi Bhavan, Old Agra Road,)
Nashik, Dist. Nashik)

4. The Project Officer,)
Tribal Integrity Development Project,)
Dahanu, Dist. Palghar) ... Respondents

AND
(913) WRIT PETITION NO.2664 OF 2025

1. Hiranman Devram Gavrit)
2. Vandana Madhav Hemade)
3. Meera Navshya Banbare)
4. Alka Sanjay Patil)
5. Babulal Pandit Jopale)
6. Shivram Dival Mali)
7. Vasant Trambak Pawar) ... Petitioners

Versus

1. The State of Maharashtra,)
Through its Secretary,)
Tribal Development Department,)
Mantralaya, Mumbai – 32)
2. The State of Maharashtra,)
Through its Secretary, the Finance)
Department, Mantralaya, Mumbai – 32)
3. The Commissioner,)
Tribal Development Department,)
Adivasi Bhavan, Old Agra Road,)
Nashik, Dist. Nashik)
4. The Project Officer,)
Tribal Integrity Development Project,)
Kalvan, Dist. Nashik)
5. The Project Officer,)
Tribal Integrity Development Project,)
Ghodegaon, Ta. Ambegaon,)
District - Pune) ... Respondents

AND
(914) WRIT PETITION NO.2828 OF 2025

1. Bayaja Vishnu Ahirrao)
2. Shivram Vishnu Dalvi)
3. Rajesh Vishnu Masmar)
4. Prakash Trimbak Gavli)
5. Shankar Barkya Warkhande)

6. Shankar Mahadu Rinkad)
7. Yamuna Vaman Khandvi)
8. Shakuntala Janglu Pawara)
9. Rajendra Jaramsingh Thakre)
10. Kavita Meghshyam Bhaskar)
11. Fasabai Maruti Pardhi)
12. Shubhangi Subhash Pawar)
13. Dasu Bava Gavit)
14. Maltibai Ratan Bhamre)
15. Nutan Ramsing Vasave)
16. Vikas Kishor Damare)
17. Dilip Sambhu Tadavi)
18. Pandit Shripat Ahire)
19. Durgesh Udaysing Pardeshi)
20. Uddheshwar Motiram Mahale)
21. Dhulsing Rupchand Bhil) ... Petitioners

Versus

1. The State of Maharashtra,)
Through its Secretary,)
Tribal Development Department,)
Mantralaya, Mumbai – 32)
2. The Undersecretary,)
Tribal Development Department,)
1st Floor, Extended Building,)
Madam Kama Road, Hutatma Rajguru)
Chowk, Mantralaya, Mumbai - 32)
3. The Commissioner,)
Tribal Development Department,)
Adivasi Bhavan, Old Agra Road,)
Nashik, Dist. Nashik)
4. The Assistant Commissioner,)
Tribal Development Department,)
Nashik Division, Nashik)
5. The Assistant Commissioner,)
Tribal Development Department,)
Thane Division, Thane)
6. The Project Officer,)
Tribal Integrity Development Project)
Kalwan, Tq. Kalwan, Dist. Nashik)

7. The Project Officer,)
Tribal Integrity Development Project)
Jawhar, Dhanu, Nashik By Pass Road,)
Jawhar, Tq. Jawhar, Dist. Thane)
8. The Project Officer,)
Tribal Integrity Development Project,)
Pen, Tq. Pen, Dist. Raygad)
9. The Project Officer,)
Tribal Integrity Development Project,)
Nashik, Tq. & Dist. Nashik)
10. The Project Officer,)
Tribal Integrity Development Project,)
Ghodegaon, Tq. Ambegaon, Dist. Pune)
11. The Project Officer,)
Tribal Integrity Development Project,)
Shahapur, Mumbai-Nashik Expressway,)
Bamane Rural, Shahapur - 421601)
12. The Project Officer,)
Tribal Integrity Development Project,)
Dahanu, Janardan Arcade, 2nd Floor,)
Main Road, Malyan, Dahanu,)
Maharashtra – 401601)
13. The Project Officer,)
Tribal Integrity Development Project,)
Taloda, Shahada Road, Taloda,)
Dist. Nandurbar)
14. The Project Officer,)
Tribal Integrity Development Project,)
Nandurbar, Tq. & Dist. Nandurbar) ... Respondents

AND

(915) WRIT PETITION NO.2829 OF 2025

1. Kantilal Pandharinath Gaikwad)
2. Hiranman Mahadu Bhandge)
3. Tarabai Madhukar Thakre)
4. Eknath Ananda Gaikwad)
5. Kishor Pundlik Jadhav)
6. Bharat Sadu Gavli)
7. Sula Dipak Darode)

8. Murlidhar Shankar Darode)
9. Rahulkumar Rajdhar Baisane)
10. Ghanshyam Bhaurao Kharkute)
11. Dhilaji Gonaji Kokani)
12. Santosh Lahu Aasam)
13. Krishna Chintaman Gavli)
14. Mahesh Dharmraj Manbhav)
15. Hemraj Aananda Kolhe)
16. Manohar Chintaman Pawar)
17. Yuvraj Jayram Pithe)
18. Kamal Ramesh Bhoys)
- @Kamal Ananda Gaikwad)
19. Harishkumar Ramesh Gongarde)
20. Nirmala Suresh Raut)
21. Aanusaya Madhukar Raut)
22. Vilas Raghunath Waghare)
23. Santosh Manohar Impal)
24. Khushali Krishna Pawar)
25. Roshan Jagan Bhusare)
26. Sumedh Sahebrao Khillare)
27. Haridas Hiranman Bhoys)
28. Priyanka Pandurang Choudhari)
29. Jayshri Santosh Khambait)
30. Chetna Laxman Jagtap)
31. Sunita Tulshiram Tabale)
32. Suraj Bhausaheb Gaikwad)
33. Keshav Laxman Khotore)
34. Tushar Pandurang Manbhav)
35. Hiranman Shankar Topale)
36. Madhuri Kisan Baraf)
37. Hemant Sadashiv Choudhari)
38. Bharat Bhagvan Pradhan)
39. Pandit Namdev Tabale)
40. Kalpesh Manohar Tabale)
41. Sham Bhagvan Raut)
42. Pramila Rangnath Mahale)
43. Pradi Namdev Raut)
44. Shrikant Mangesh Thakur)
45. Sunil Kisan Gangorde)
46. Vitthal Mathur Dhanduke)
47. Sanjay Sitaram Bhoys)

48. Sunita Kachru Nikam)
49. Gaurav Vikram Ahire)
50. Bhairavnath Namdev Gavande)
51. Vilas Eknath Wad)
52. Haridas Rajaram Kamadi)
53. Kishor Namdev Bhagare)
54. Shivaji Hari Nikule)
55. Tulshiram Hiranman Pimpalke)
56. Hanuman Subhash Dive)
57. Dilip Devji Raut)
58. Vasanta Hiranman Bhusare)
59. Ganesh Tulshiram Kharpade)
60. Amol Motiram Nimbare)
61. Chagan Manohar Bhasare)
62. Abhay Gorakh Desale)
63. Dinesh Rangnath Dashedede)
64. Megha Devidasji Harne)
65. Saurabh Vikram Aahire)
66. Ganesh Madhukar Waghere)
67. Rohitkumar Sardarsing Sonawane)
68. Rohini Rajendra Koli)
69. Kantilal Brijlal Pawara)
70. Rahul Jayvant Jadhav)
71. Rahul Nivrutti Mahale)
72. Bharti Rajesh Devre)
- @Bharti Kantilal Patil)
73. Nirmala Yashvant Khambait)
74. Meenakshi Sachin Kulthe)
75. Rajendra Maruti Bhavari)
76. Arvind Ladak Kondhari)
77. Harshal Bhimrao Sonawane)
78. Dattatry Dashrath Thakre)
79. Sonali Rajendra Salunkhe)
80. Kiran Sauraj Pawara)
81. Nita Gopi Pawara @Nita Rahul Pawara)
82. Pinki Santosh Pawara)
83. Sunita Sunil Pawara)
84. Jyoti Shivaji Patil)
- @Jyoti Yuvraj Jadhav)
85. Lalitkumar Prabhakar Chaudhari)
86. Banka Babulal Bahiram)

87. Nandkishor Sahebrao Thakare)
88. Ganesh Namdev Thakare)
89. Devidas Ramesh Sabale)
90. Harshal Vasant Ahire)
91. Kantilal Kashinath Chaure)
92. Abhiman Kaluram Pawar)
93. Kavita Harsing Pawara)
94. Haraklal Ishwarlal Gavale)
95. Vasu Fulaji Gavit)
96. Vinod Santosh Satkar)
97. Sandip Suresh Bari)
98. Milind Arun Pawar)
99. Malti Purushottam Patil)
100. Ishwar Supdya Sable)
101. Sunil Laxman Gavit)
102. Sau. Meerabai Dipak Sathe)
103. Nirmalabai Akhiraj Pawara)
104. Bhimrao Subhram Pawara)
105. Kapila Yashvant Gavit)
- @Mavachi Kapila Jaywant)
106. Mohite Charushila Sidharth)
107. Anita Vijay Vasave)
108. Naik Bhaghyashri Bhamsing)
109. Suvarna Sakharam Valvi)
110. Sita Nivrutti Bliavari)
111. Chandu Tulshiram Shinde)
112. Vijay Jomsing Pawara)
113. Manoj Fulsing Rathod)
114. Malubai Suresh Tayade)
115. Kiran Rohidas Kharde)
116. Kharde Naval Laxman)
117. Paradke Mangesh Sama)
118. Pratiksha Tarachand Kharde)
119. Virsing Darasing Pawar)
120. Megha Chandrakant Padvi)
121. Potibai Rumalsing Choudhari)
122. Anita Huppa Valvi)
123. Amarjit Ishwar Valvi)
124. Rakesh Pundalik Barade)
125. Sunita Gansilal Thakare)
126. Miraji Rekyu Kuwar)

127. Mamta Prakash Ukhalde)
128. Nitin Parudas Ahire)
129. Ujwala Rajaram Jagtap)
130. Minabai Kanhaiyalal Bhoys)
131. Anjana Jejiram Sabale)
132. Dhanshram Dayaram Kokani)
133. Jayavant Bhila Bagul)
134. Sangita Rajendra Suryawanshi)
135. Nikesh Anandrao Arekar)
136. Mayur Diwakar Gedam)
137. Bhumesb Bhagwan Krushnake)
138. Kajal Sharad Dudhe)
139. Dipak Dewrao Selote)
140. Rahul Ratan Gedam)
141. Ashish Maroti Zade)
142. Visranti Ramesh Gorantwar)
143. Kiran Ravindra Sarpate)
144. Yuvaraj Hariji Pendam)
145. Pravin Kashinath Nimgade)
146. Amita Vilas Gedam)
147. Bramhanand Puneshwar Kulmethe)
148. Vina Vishwas Atram)
149. Mahesh Ambadas Shende)
150. Madhuri Tulsiram Hajare)
151. Bhagyashri Vibhakar Kumare)
152. Dipak Moreshwar Urkunde)
153. Rajkumar Diwakar Ippalwar)
154. Surendra Domaji Khade)
155. Rohidas Sadu Hamare)
156. Sangita Kashinath Chaure)
157. Surekha Balwant Gavit)
158. Bharti Sunil Satpute)
159. Dinesh Devram Mukane)
160. Sangeeta Shalik Dabhade)
161. Pankaj Bhalchandra Patil)
162. Pravin Onkar Khairnar)
163. Vicky Dilip Koli)
164. Gulab Bansilal Shinde)
165. Yogita Prakash Mali)
@Yogita Manohar Mali)
166. Dinesh Ramesh Mangale)

167. Rahul Laxman Ahire) ... Petitioners

Versus

1. The State of Maharashtra,)
Through its Secretary,)
Tribal Development Department,)
Mantralaya Mumbai-32)
2. The Undersecretary,)
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1st Floor, Extended Building, Madam)
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Nagpur Division, Nagpur)
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Maharashtra 401601)
15. The project Officer,)
Tribal Integrity Development Project)
Deori NH-6 Chichgad Road, Deori)
16. The Project Officer,)
Tribal Integrity Development Project)
Yaval, Dist. Dhule)
17. The Project Officer,)
Tribal Integrity Development Project,)
Chandrapur Administrative Building,)
Collector office Campus, Chandrapur)
Tq. & Dist. Chandrapur.)
18. The Project Officer,)
Tribal Integrity Development Project)
Govt. Building Arewada Road,)
Bharmragad, Dist. Gadchiroli)
19. The Project Officer,)
Tribal Integrity Development Project)
Taloda, Shahada Road, Taloda.)
Dist. Nandurbar)
20. The Project Officer,)
Tribal Integrity Development Project)
Nandurbar. Tq. & Dist. Nandurbar) ... Respondents

Mr. Vivek Salunke, Advocate for the Petitioners in all Petitions, except WP/2828/2025 and WP/2829/2025.

Mr. Vishal S. Kadam for the Petitioners (through video conferencing) for the Petitioners in WP/2828/2025 and WP/2829/2025.

Mr. A.K. Naik, AGP for the Respondent/State in WP/72/2025.

Mr. S.P. Kamble, AGP for the Respondent/State in WP/1813/2025.

Mr. P.P. Kakade, Addl. G.P. a/w Mr. Y.D. Patil, AGP for the Respondent/State in WP/2660/2025.

Mr. Y.D. Patil, AGP for the Respondent/State in WP/2661/2025.

Ms. P.N. Diwan, AGP for the Respondent/State in WP/2662/2025.

Mr. V.M. Mali, AGP for the Respondent/State in WP/2663/2025.

Mr. P.P. Kakade, Addl. G.P. a/w Mr. S.L. Babar, AGP for the Respondent/State in WP/2664/2025.

Mr. P.P. Kakade, Addl. G.P. a/w Ms. D.S. Deshmukh, AGP for the Respondent/State in WP/2828/2025.

Mr. P.P. Kakade, Addl. G.P. a/w Mr. A.C. Bhadang, AGP for the Respondent/State in WP/2829/2025.

**CORAM : RAVINDRA V. GHUGE &
ASHWIN D. BHOBE, JJ.**

DATE : 28th FEBRUARY, 2025

ORAL JUDGMENT (PER RAVINDRA V. GHUGE, J.) :

1. The issue raised in all these Petitions is no longer *res-integra*.

2. The Petitioners are praying for regularization and permanency in the Government Ashram Schools. This Court [Coram: S. V. Gangapurwala, ACJ (as His Lordship then was) & R. G. Avachat, J.], vide Judgment dated 31st October, 2018, delivered in Writ Petition

No.5867 of 2015, filed by *Madhukar Bhagwanrao Sadgir v/s. State of Maharashtra and others* and vide the order dated 19th October, 2022, passed by this Court [Coram : Ravindra V. Ghuge & Sanjay A. Deshmukh, JJ.] in Writ Petition No.8524 of 2022 filed by *Pandurang Hari Shelke v/s. State of Maharashtra and others*, with connected matters, has concluded that those candidates who had completed 10 years, would be considered for regularization by the State of Maharashtra after conducting a verification exercise.

3. To be specific, this Court has held in paragraph nos.9, 10 and 11 in the matter of *Pandurang Hari Shelke* (Supra), as under :

9. *In so far as the queries by the State Government are concerned, we observe as under :-*

Query (a) Those employees who have not completed 10 years in continuous service in the light of the paragraph 21(i) and (iv), would not be entitled for the benefits, save and except in terms of any policy decision that the State Government would be introducing to deal with this entire issue in the State of Maharashtra.

Query(b) Considering paragraph 21(i) and (iv), those employees, who have presented their first appointment order and are out of employment for periods ranging from one year and above, or those are presently in employment with a gap and are not in continuous in employment, would not be entitled for regularization, save and except in terms of the policy that would be

introduced by the State Government for such employees in the State of Maharashtra.

Query(c) Since the Government itself granted several concessions to the employees, those who could not work and discharge their duties due to Covid-19 pandemic lock down, would be considered to be in continuous employment during the Covid pandemic lock down period, provided they were in employment immediately prior to the lock down and were also in employment immediately after withdrawal of lock own restrictions, inclusive of the vacation period.

Query(d) The answer to query (d) lies in paragraph 21(iii). For clarification, we would observe that those employees who have completed 10 years in employment and have filed their writ petitions later on, would be entitled for the monetary benefits either from 1.11.2018 or the date on which they completed 10 years, whichever is later. In cases where the candidates have preferred writ petitions, prior to completing 10 years in service, would be entitled for the regular pay scale/monetary benefits from 1.11.2018 or from the date they have completed 10 years of employment, whichever is later.

10. In view of the above, we deem it appropriate to direct further, with the consent of the petitioners, as under :-

i) As the State Government has informed us, vide communication "Y", that the service details of all these petitioners, and similarly placed employees, in the State of Maharashtra, is being collected and verification would be completed by 21.10.2022, we grant further period to the State Government in order to avoid any mistake

or discrepancy, to complete such exercise of verification, till 30.11.2022.

ii) Pursuant to the above and our clarification set out in the foregoing paragraphs, read with the earlier orders, the State would prepare a list of eligible candidates and ineligible candidates. In so far as ineligible candidates are concerned, the State Government shall assign specific reasons in each case, concluding in the light of our orders, as to why they are held ineligible. The cases of those, who are held eligible, would be forwarded to the Competent Government department of the State of Maharashtra for framing a policy to grant regularization to such candidates and thereafter issue orders of regularization, as expeditiously as possible and not later than 31.01.2023.

iii) Those cases, which are found to be ineligible while verifying the record, if are found to be worthy of consideration in the light of the terms of any policy decision that State Government may introduce, we leave it to the State Government to take a decision with regard to such cases as well, preferably on or before 15.03.2023.

iv) After the entire exercise is completed and if any candidate from teaching or non teaching categories is found to be ineligible, specific orders rejecting their proposal would be passed and the said orders would be served upon such candidates on their last known address or through the institution, in which they are working on or before 15.4.2023.

11. In view of the above, those petitioners and similarly situated employees in the State of Maharashtra, who are in employment today, shall not be discontinued from employment only

on the ground that they are temporary and their proposals are pending.

4. In view of the above, only those Petitioners who have completed 10 years, would be covered by the above directions, to be implemented by the State Government. Those who have not completed 10 years, will have to wait till they complete 10 years and thereafter, the Competent Authority would consider their cases.

5. The learned AGP submits that the concerned Authority has already started a verification exercise with regard to these Petitioners and only after completing the verification exercise and on concluding that the concerned Petitioners are eligible, further orders would be passed in the light of the Judgment of this Court in *Madhukar Bhagwanrao Sadgir* (Supra).

6. We, therefore, deem it appropriate to grant such financial benefits of arrears of the pay scale as stated above, from the date of the completion of the 10 years in employment. Insofar as the Petitioners who have not completed 10 years as on date, as observed by this Court in its order dated 29th November, 2024, in *Interim Application No.1418 of 2024 in Writ Petition No.13177 of 2023 (Sandip Ganpat*

Hadbai & Ors. v/s. The State of Maharashtra and Ors.), minimum pay in the lowest pay grade inclusive of dearness allowance, would be available to such employees from the dates of the filing of these Petitions.

7. In view of the above, **these Petitions are disposed off.** We expect the concerned Authorities to complete the said exercise within a period of 180 days.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)