

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

(Sr. No. 913) WRIT PETITION NO. 5827 OF 2025

Rahirao s/o. Gangaji Pawar & Ors. ... Petitioners

Versus

The State of Maharashtra & Ors. ... Respondents.

WITH

(Sr. No. 914) WRIT PETITION NO. 5828 OF 2025

Satish s/o. Mansaram Thakare & Ors. ... Petitioners

Versus

The State of Maharashtra & Ors. ... Respondents.

WITH

(Sr. No. 915) WRIT PETITION NO. 5829 OF 2025

Baban s/o. Keda Mandawade & Ors. ... Petitioners

Versus

The State of Maharashtra & Ors. ... Respondents.

WITH

(Sr. No. 916) WRIT PETITION NO. 5830 OF 2025

Lalit s/o. Somnath Aher & Ors. ... Petitioners

Versus

The State of Maharashtra & Ors. ... Respondents.

WITH

(Sr. No. 922) WRIT PETITION NO. 5854 OF 2025

Nirmala Govinda Jadhav & Ors. ... Petitioners

Versus

The State of Maharashtra & Ors. ... Respondents.

**WITH
(Sr. No. 923) WRIT PETITION NO. 5855 OF 2025**

Archana Bhaskarrao Aher & Ors. ... Petitioners

Versus

The State of Maharashtra & Ors. ... Respondents.

**WITH
(Sr. No. 924) WRIT PETITION NO. 5856 OF 2025**

Ganesh s/o. Baburao Badgujar & Anr. ... Petitioners

Versus

The State of Maharashtra & Ors. ... Respondents.

Ms. Megha Y. Mali, Advocate for the Petitioners.
Ms. Priyanka Chavan, AGP for Respondent/State in WP/5827/2025.
Mr. V.G. Badgujar, AGP for Respondent/State in WP/5828/2025..
Ms. P.M.J. Deshpande, AGP for Respondent/State in WP/5829/2025.
Mr. A.C. Bhadang, AGP for Respondent/State in WP/5830/2025.
Mr. A.C. Bhadang, AGP for Respondent/State in WP/5854/2025.
Mr. S.P. Kamble, AGP for Respondent/State in WP/5855/2025.
Ms. Priyanka Chavan, AGP for Respondent/State in WP/5856/2025.

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

DATE : 30th APRIL, 2025

P.C. :

1. These identically placed Petitioners have put forth identical

prayer clauses (B) and (C), which read as under:-

B. The resp. authority may kindly be direct to give/release the benefits of Ekstar (one step pay scale) from the initial date of appointment to till they working in Tribal area to the petitioners as per Govt. Resolution dated 06.08.2002 & 29.02.2024 as they are working in Tribal/PESA/difficult area though they are already granted 12 years continuous service benefit (Time Bound Promotion) & also 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. By issuing writ of Mandamus or any other appropriate writ, order or direction as the case may be.

C. The Respondent authority 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 to till they are working in Tribal Area as per Government Resolution dated 06.08.2002 issued by the Resp. No. 1 as they working in tribal area & further directs not to revoke/recover the benefits of Ekstar (one step pay scale) as per G. R. dated 06.08.2002 & 29.02.2024 though petitioners granted/ 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 Petitions.

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, **these Writ Petitions are allowed** in the following terms:-

i. Respondent No.5/The Education Officer (Secondary), Zilla Parishad 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.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.

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.5 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.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)