

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6257 OF 2025

1. Pawar Vilas Shivram,
Age: 64 years, Occu: Retired,
C/o. Shri. Bhairavnath Madhyamik
& Uccha Madhyamik Vidyalaya, Khed,
Tq. Igatpuri, Dist. Nashik.
2. Shelke Shivram Raghunath,
Age: 58 years, Occu: Retired,
C/o. Shri. Bhairavnath Madhyamik
& Uccha Madhyamik Vidyalaya, Khed,
Tq. Igatpuri, Dist. Nashik.
3. Wandekar Prakash Dhondiba,
Age: 62 years, Occu: Retired,
C/o. Shri. Bhairavnath Madhyamik
& Uccha Madhyamik Vidyalaya, Khed,
Tq. Igatpuri, Dist. Nashik.
4. Khoje Dilip Vishnu,
Age: 64 years, Occu: Retired,
C/o. Shri. Bhairavnath Madhyamik
& Uccha Madhyamik Vidyalaya, Khed,
Tq. Igatpuri, Dist. Nashik.
5. Smt. Patil Surekha Daulatrao,
Age: 64 years, Occu: Retired,
C/o. Shri. Bhairavnath Madhyamik
& Uccha Madhyamik Vidyalaya, Khed,
Tq. Igatpuri, Dist. Nashik.
6. Waghmare Pandharinath Dagadu,

Age: 64 years, Occu: Retired,
C/o. Shri. Bhairavnath Madhyamik
& Uccha Madhyamik Vidyalaya, Khed,
Tq. Igatpuri, Dist. Nashik.

7. Deshmukh Sampat Tukaram,
Age: 68 years, Occu: Retired,
C/o. Shriram Vidyalaya, Wasali,
Tq. Igatpuri, Dist. Nashik.
8. Awari Govind Keru,
Age: 65 years, Occu: Retired,
C/o. Shriram Vidyalaya, Wasali,
Tq. Igatpuri, Dist. Nashik.
9. Ambre Chandrabhan Vithoba,
Age: 63 years, Occu: Retired,
C/o. Shriram Vidyalaya, Wasali,
Tq. Igatpuri, Dist. Nashik.
10. Hon Karnasaheb Janardhan,
Age: 62 years, Occu: Retired,
C/o. Shriram Vidyalaya, Wasali,
Tq. Igatpuri, Dist. Nashik.
11. Solat Dnyandeo Ambadas,
Age: 65 years, Occu: Retired,
C/o. Shriram Vidyalaya, Wasali,
Tq. Igatpuri, Dist. Nashik.
12. Gaware Yamaji Sakharam,
Age: 65 years, Occu: Retired,
C/o. Sahyadri Madhyamik Vidyalaya,
Ambewadi, Tq. Igatpuri, Dist. Nashik.
13. Shinde Balu Ramnath,

Age: 64 years, Occu: Retired,
C/o. Sahyadri Madhyamik Vidyalaya,
Ambewadi, Tq. Igatpuri, Dist. Nashik.

14. Pawar Kailas Keda,
Age: 61 years, Occu: Retired,
C/o. Sahyadri Madhyamik Vidyalaya,
Ambewadi, Tq. Igatpuri, Dist. Nashik.

15. Shinde Nathu Baburao,
Age: 60 years, Occu: Retired,
C/o. Sahyadri Madhyamik Vidyalaya,
Ambewadi, Tq. Igatpuri, Dist. Nashik.
vs.

... Petitioners

1. The State of Maharashtra,
Through the Chief Secretary,
General Administration Department,
Mantralaya, Mumbai-32.
2. The Principal Secretary,
School Education & Sports Department,
Mantralaya, Mumbai-32.
3. The Director of Education,
Maharashtra State, Pune.
4. The Deputy Director of Education,
Nashik Region, Nashik.
5. The Education Officer (Secondary),
Zilla Parishad, Nahsik.
6. Shri. Bhairavnath Madhyamik &
Uccha Madhyamik Vidyalaya, Khed,
Tq. Igatpuri, Dist. Nashik.

7. Shriram Vidyalaya, Wasali,
Tq. Igatpuri, Dist. Nashik.
8. Sahyadri Madhyamik Vidyalaya,
A/P: Ambewadi, Tq. Igatpuri,
Dist. Nashik.State of Maharashtra & Anr. ... Respondents

Mr. Shivaji T. Shelke, Advocate for the Petitioners.
Mr. Vikas M. Mali, AGP for Respondent Nos. 1 to 5/State.
Mr. Pravin D. Biradar, Advocate for Respondent Nos. 6 to 8.

CORAM : RAVINDRA V. GHUGE AND

ASHWIN D. BHOBE, JJ.

DATE : 7TH MAY, 2025

ORAL JUDGMENT : *(Per Ravindra V. Ghuge, J)*

1. Rule. Rule made returnable forthwith and heard finally by the consent of the parties.

2. The Petitioners have put forth prayer clause (B), as under :

“(B) Issue a writ of mandamus or a writ in the nature of mandamus or a direction in the like nature for directing the respondents to grant the benefit of One step pay scale (Ekstar) to the petitioners as per GR dt. 06.08.2002 & Govt. letter dt. 09.09.2024 issued by School Education & Sports Dept. at Exh. I along with the salary arrears based on the basis of One step pay scale (Ekstar) within a stipulated period.”

3. It is undisputed that several orders in similar matters have been passed by this Court. While disposing off the Petitions, we have permitted the Employer to carry out a verification exercise and, thereafter, initiate appropriate steps. There is no recovery order against the Petitioners, since the monetary benefits are yet to be granted.

4. In view of the above, **this Petition is partly allowed**, on the following terms :

- (i) The Education Officer (Secondary), Zilla Parishad, Nashik / Respondent No.5 shall scrutinize the records of all these Petitioners and the places, at which they are deployed for performing their duties, within a period of eight weeks.
- (ii) Those cases, which do not suffer from any legal impediment after verification, shall be cleared by Respondent No.5 and the salary benefits, to which they 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, along with their arrears, as well as their current salaries, within a period of four weeks thereafter.
- (iii) After scrutiny, if any of these Petitioners, on the basis of their records, are found to be ineligible, Respondent No.5 would

issue notices to each of such Petitioners, so as to enable them to appear and address him.

(iv) After such hearing, which shall be completed within four months from today, Respondent No.5 shall pass appropriate orders and grant benefits of one-step pay-scale only to those candidates, who are found to be eligible.

(v) Those Petitioners, who suffer adverse orders after the above stated exercise is completed, would be at liberty to avail of a statutory remedy, as is permissible in law.

5. **Rule is made partly absolute** in the above terms.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)