

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

(Sr. No. 502) WRIT PETITION NO. 6268 OF 2025

Dipali Suresh Wadile & Ors. ... Petitioners.

vs.

State of Maharashtra & Ors. ... Respondents

WITH

(Sr. No. 506) WRIT PETITION NO. 6272 OF 2025

Sanjay S/o Waman Pawar & Ors. ... Petitioners.

vs.

State of Maharashtra & Ors. ... Respondents

WITH

(Sr. No. 507) WRIT PETITION NO. 6273 OF 2025

Sudhakar s/o Kashinath Aher & Ors. ... Petitioners.

vs.

State of Maharashtra & Ors. ... Respondents

WITH

(Sr. No. 508) WRIT PETITION NO. 6274 OF 2025

Pandharinath Devram Mahale & Ors. ... Petitioners.

vs.

State of Maharashtra & Ors. ... Respondents

WITH

(Sr. No. 511) WRIT PETITION NO. 6277 OF 2025

Vivek S/o Bhaidas Patil & Ors. ... Petitioners.

vs.

State of Maharashtra & Ors. ... Respondents

WITH

(Sr. No. 512) WRIT PETITION NO. 6278 OF 2025

Ganesh S/o Mohan Nagpure & Ors. ... Petitioners.

vs.

State of Maharashtra & Ors. ... Respondents

WITH

(Sr. No. 513) WRIT PETITION NO. 6279 OF 2025

Bhushan S/o. Barikrao Patil & Ors. ... Petitioners.

vs.

State of Maharashtra & Ors. ... Respondents

WITH

(Sr. No. 515) WRIT PETITION NO. 6281 OF 2025

Rakesh S/o. Ashok Nikam & Ors. ... Petitioners.

vs.

State of Maharashtra & Ors. ... Respondents

WITH

(Sr. No. 517) WRIT PETITION NO. 6283 OF 2025

Kanhyaalal S/o. Yashwant Mali & Ors. ... Petitioners.

vs.

State of Maharashtra & Ors. ... Respondents

WITH

(Sr. No. 518) WRIT PETITION NO. 6284 OF 2025

Vivek S/o. Deoram Nikam & Ors. ... Petitioners.

vs.

State of Maharashtra & Ors. ... Respondents

WITH

(Sr. No. 519) WRIT PETITION NO. 6285 OF 2025

Dhananjay S/o. Raghunath Chavan & Ors. ... Petitioners.

vs.

State of Maharashtra & Ors. ... Respondents

WITH

(Sr. No. 520) WRIT PETITION NO. 6286 OF 2025

Yogesh S/o. Shivaji Vhande & Ors. ... Petitioners.

vs.

State of Maharashtra & Ors. ... Respondents

WITH

(Sr. No. 521) WRIT PETITION NO. 6287 OF 2025

Sangita Vijay Palekar & Ors. ... Petitioners.
 vs.
 State of Maharashtra & Ors. ... Respondents

WITH

(Sr. No. 522) WRIT PETITION NO. 6288 OF 2025

Kiran S/o. Dattatray Ahire & Ors. ... Petitioners.
 vs.
 State of Maharashtra & Ors. ... Respondents

WITH

(Sr. No. 524) WRIT PETITION NO. 6290 OF 2025

Hiraman S/o. Kisan Pawar & Anr. ... Petitioners.
 vs.
 State of Maharashtra & Ors. ... Respondents

Ms. Megha Y. Mali, Advocate for the Petitioners.

Mr. P.P. Kakade, Addl. G.P. with Mr. V.G. Badgular, AGP, Ms. Gauri Raghuwanshi, AGP, Ms. P.M. Joshi, AGP, Ms. Priyanka Chavan, AGP, Mr. V.M. Mali, AGP, Mr. S.B. Kalel, AGP, Mr. Karan Thorat, 'B' Panel, for Respondent/State.

Mr. Ashwin R. Kapadnis, Advocate for Respondent Nos. 6, 7 & 8.

CORAM : RAVINDRA V. GHUGE AND

ASHWIN D. BHOBE, JJ.

DATE : 7TH MAY, 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.6/ 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.6 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.6, 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.6 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.)