

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION NO. 8319 OF 2025

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Manisha Kalu Chaure and Ors .. Petitioners

Versus

State of Maharashtra and others .. Respondents

Mr.Anuj Tiwari i/b. Vivek Salunke for the Petitioners.

Mr.A.R. Deolekar, AGP for the State.

CORAM : RAVINDRA V. GHUGE &
GAUTAM A. ANKHAD, JJ
DATED : 9th JULY, 2025

P.C:-

1. Heard the learned Advocate for the Petitioners and the learned AGP. We have perused the judgment delivered by this Court in *Madhukar Bhavanrao Sadgir & ors Vs. State of Maharashtra and ors*, delivered on 31st October, 2018 in Writ Petition No. 5867 of 2015, the order dated 19th October, 2022 passed by this Court in Writ Petition No. 8524 of 2022 (*Pandurang Hari Shelke Vs. State of Maharashtra*) and the order dated 29th November, 2024 passed by this Court in *Sandip Ganpat Hadbal Vs. State of Maharashtra and ors*.

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2. The learned AGP pointed that, out of these Petitioners, only five have completed 10 years in employment and four have not. We find that this eventuality is squarely covered by the judgment of this Court dated 30th January, 2025 delivered at the Principal Seat in Writ Petition No.6693 of 2023 and connected matters (***Namdeo Tukaram Dhonnar and ors Vs. State of Maharashtra and ors***).

3. Considering the above, this **Writ Petition is partly allowed** (a) only to the extent of these petitioners who have completed 10 years and (b) in terms of ***Sandeep Ganpat Hadbal*** (supra), with the following directions :-

“(a) The procedure devised in Madhukar Sadgir (supra), shall be followed by the State Government and appropriate scrutiny shall be carried out with regard to those Petitioners who have completed 10 years of service, within the same time line as was granted in Madhukar Sadgir (supra).

(b) We further direct that the letter issued by the Under Secretary, Maharashtra Government, Tribal Development dated 25th May, 2023 would not be applicable to those who have completed 10 years in service. The issue of retrospective application is left open to be considered in a challenge to the said letter, if posted by any aggrieved litigant in a substantive petition.

(c) Lastly, we direct the State Government to consider all these cases for payment of the minimum pay in the lowest grade inclusive of dearness allowance as is payable to the regular/permanent employees, notwithstanding whether they have completed 10 years or not.

4. Though the learned Advocate, Shri. Tiwari, has vehemently prayed for full arrears, the learned AGP has strongly opposed the said argument contending that it would create an enormous financial burden on the State Government. He draws our attention to the view taken in the Judgment delivered by this Court in *Madhukar Sadgir (supra)*, wherein financial benefits were granted from the date of the Judgment.

5. 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 *Sandip Hadbal (supra)*, minimum pay in the lowest pay grade inclusive of dearness allowance, would be available to such employees who have not completed 10 years from the dates of the filing of this Petition.

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

(GAUTAM A. ANKHAD, J.)

(RAVINDRA V. GHUGE, J)