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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 11008 OF 2025**

Mujawar Rafique Aziz and Ors. Petitioners.
V/s
The State of Maharashtra and Others Respondents.

Mr. Ashwin R. Kapadnis i/b Mr. Balaji S. Shinde and Ms. Mayuri Anbhavane,
Advocates for the petitioners.
Mr. A. K. Naik, AGP for the State-respondent nos. 1 to 6

**CORAM : SHREE CHANDRASHEKHAR &
MANJUSHA DESHPANDE, JJ.**

DATE : 13th August 2025

P.C. :

Having regard to the limited prayer made in this writ petition, we are not calling upon the respondents to file their reply affidavit in this matter. The petitioners have produced series of orders passed by this Court from Exhibit-D at page 41 of the paper-book to seek parity with other similarly situated employees who were posted in the tribal and PESA areas commonly perceived as difficult areas.

2. In this writ petition, following prayers have been made by the petitioners :

“[A] This writ petition may kindly be allowed.

[B] This Honorable Court, by issuing writ of mandamus or appropriate writ, order, directions in the like nature, kindly direct the respondents, to grant the benefit of promotional scale/One-step pay-scale (Ekstar) from the date of postings in tribal area till the petitioners working in the Tribal/PESA, as per G.R. dated 06.08.2002 and G.R. dated 29.02.2024 and as per judgments of this court, and also directed to pay arrears of salaries as per One-step pay scale.

AND/OR

[C] This Honorable Court, by issuing appropriate writ, order,

directions in the like nature, kindly issue similar directions issued in judgments annexed at Exhibit-D for making scrutiny and verification against respondent Education Officer for grant of benefits of one step pay scale to the petitioners as per G.R. dtd 06.08.2002 and 29.02.2024.

[D] This Honorable Court, by issuing appropriate writ, order directions in the like nature, kindly hold and declare that the petitioners are entitled for One-step pay scale (Ekstar) still they are working in Tribal/PESA area as per G.R. dated 06.08.2002 and 29.02.2024 and consequently hold G.R. dtd. 14.08.2008, restricting the benefits of one step pay scale is contrary to the G.R. dated 06.08.2002 and G.R. dated 29.02.2024.

[E] Pending hearing and final disposal of this petition, kindly direct respondents to pay of salaries of petitioners as per one step pay scale.

[F] Pass such order as this Hon'ble Court may deem fit."

3. The petitioners have stated that on account of lack of means of communication, transportation, development etc. many employees are reluctant to serve in the tribal and difficult areas in different districts of the State of Maharashtra. The State Government therefore came out with a scheme through Government Resolution dated 6th August 2002 to provide additional benefits to such employees who volunteered to serve in such different areas. According to the petitioners, the object behind G.R. dated 6th August 2002 is to encourage government employees to serve in the tribal and PESA areas. As per paragraph 3(7) of the said Government Resolution, one step pay-scale salary is provided to the employees who are serving in tribal and PESA areas. The petitioners have further submitted that Writ Petition No.8899 of 2025 titled "*Arun Chintaman Mankar & Ors. v. The State of Maharashtra*" was filed with a prayer for one step pay-scale as per the G.R. dated 6th August 2002 and G.R. dated 29th February 2024. This Court having considered the previous decision in Writ Petition No. 8824 of 2021 titled "*Hiralal Jagannath Bawa & Others v. The State of Maharashtra and Others*" issued directions to the Education Officer (Secondary) of Zilla

Parishad to scrutinize the records and other service related factors in the light of the G.R. dated 29th February 2024 and to extend salary benefits to those persons if there was no legal impediment. The orders passed in Writ Petition Nos.10577 of 2022, 12217 of 2023, 11642 of 2024 and 1634 of 2025 proceeded on similar premises that the employees working under tribal and PESA areas shall be entitled for one step pay-scale salary in terms of G.Rs dated 6th August 2002 and 29th February 2024. In the present case, the petitioners have made categorical statements that their services fall within the purview of aforementioned Government Resolutions and they are entitled for benefit of one step pay-scale salary.

4. Having regard to the statements made in this writ petition, a direction is issued to the Education Officer (Secondary), Zilla Parishad, Nashik to pay benefits accruing to the petitioners under G.Rs dated 6th August 2002 and 29th February 2024 if on verification of the records it is found that the petitioners' services are covered under those Government Resolutions. Let such a decision be taken within a period of six weeks.

5. Writ Petition No.11008 of 2025 is disposed of with the above directions to the Education Officer (Secondary), Zilla Parishad, Nashik.

[MANJUSHA DESHPANDE, J.]

[SHREE CHANDRASHEKHAR, J.]