



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 3075 OF 2024

Rajesh Balaji Yeseekar and others

-- Petitioners

vs.

The State of Maharashtra and others

-- Respondents.

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Mr. P.S.Kshirsagar, Advocate for the petitioner.

Mr. A.M.Joshi, Assistant Government Pleader for respondent No.1.

Mr. Sachin Zoting, Advocate for respondent Nos.2 to 6.

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CORAM : AVINASH G. GHAROTE AND
ABHAY J. MANTRI, JJ.

DATE : JANUARY 29, 2025

P.C.

1) **Rule.** Rule made returnable forthwith and heard the learned counsel for the parties.

2) The issue that arises for consideration is with regard to the entitlement of the petitioners to the benefit of a one-step promotional pay scale for the period when they were working in Naxalite and Tribble areas under the Government Resolution dated 06.08.2002.

3) The learned counsel for the petitioners submitted that the issue involved in the present matter is covered by the directions issued in the decision dated 12/04/2023 passed in Writ Petition No.3642/2021. Therefore, he submitted that this petition may be disposed of in view of the said directions.

4) The learned Assistant Government Pleader and learned counsel for Zilla Parishad submitted that the factual matrix of the case at hand and in the writ petition cited above is identical. Also, they do not dispute the issuance of the direction in the said decision.

5) Having considered the above, we deem it appropriate to dispose of the petition by passing the following directions:-

1. Each petitioner is at liberty to make a representation to the Chief Executive Officer, Zilla Parishad, Gadchiroli, against the alleged recovery of excess payment and for continuation of salary in terms of Government Resolution dated 06/08/2002.
2. The Chief Executive Officer shall decide the representations made by the petitioners within a period of twelve weeks from the first date of proceedings and the order passed will be communicated to the petitioners.
3. If the Chief Executive Officer passes an adverse order, no coercive steps for recovering any excess payment shall be taken for four weeks from the date of communication of such order to the petitioners.
4. Till the Chief Executive Officer takes a decision on the representations, the petitioners shall continue to receive salary at the same rate at which they were receiving the same prior to such recovery.
5. The writ petition is disposed of with the directions above. Rule made accordingly in the above terms. No costs.

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE)