



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

10 WRIT PETITION NO. 1348 OF 2026

Prashant Nimbajirao Bagul & othersPetitioners
VERSUS
The State of Maharashtra & othersRespondents

.....

11 WRIT PETITION NO. 1358 OF 2026

Sushma Manish Shah & othersPetitioners
VERSUS
The State of Maharashtra & othersRespondents

.....

56 WRIT PETITION NO. 4885 OF 2026

Pralhad Jagannath Rajbhoj & othersPetitioners
VERSUS
The State of Maharashtra & othersRespondents

....

57 WRIT PETITION NO. 4886 OF 2026

Sanjay Dhudku Patil & othersPetitioners
VERSUS
The State of Maharashtra & othersRespondents

....

58 WRIT PETITION NO. 4887 OF 2026

Hansraj Bansilal Patil & othersPetitioners
VERSUS
The State of Maharashtra & othersRespondents

....

59 WRIT PETITION NO. 4888 OF 2026

Kailash Santosh Patil & othersPetitioners
VERSUS
The State of Maharashtra & othersRespondents

....

60 WRIT PETITION NO. 4889 OF 2026

Manisha Ramdas Borse & othersPetitioners
VERSUS
The State of Maharashtra & othersRespondents

....

61 WRIT PETITION NO. 4890 OF 2026

Bhupendra Kashinath Aabhane & anotherPetitioners
VERSUS
The State of Maharashtra & othersRespondents

62 WRIT PETITION NO. 4891 OF 2026

Magan Shankar Rathod & othersPetitioners
VERSUS
The State of Maharashtra & othersRespondents

.....

63 WRIT PETITION NO. 4892 OF 2026

Shashikant Ramdas Patil & othersPetitioners
VERSUS
The State of Maharashtra & othersRespondents

.....

64 WRIT PETITION NO. 4893 OF 2026

Vipul Suresh Navale & othersPetitioners
VERSUS
The State of Maharashtra & othersRespondents

....

65 WRIT PETITION NO. 4894 OF 2026

Pratik Sukhadeo Gavit & anotherPetitioners
VERSUS
The State of Maharashtra & othersRespondents

.....

66 WRIT PETITION NO. 4895 OF 2026

Ravikant Suga Valvi & othersPetitioners
VERSUS
The State of Maharashtra & othersRespondents

.....

67 WRIT PETITION NO. 4900 OF 2026

Girish Subhash PatilPetitioners
VERSUS
The State of Maharashtra & othersRespondents

.....

68 WRIT PETITION NO. 4904 OF 2026

Pankajkumar Harichandra Sali & othersPetitioners
VERSUS
The State of Maharashtra & othersRespondents

.....

69 WRIT PETITION NO. 4905 OF 2026

Narendra Motilal Nukte & othersPetitioners
VERSUS
The State of Maharashtra & othersRespondents

.....

70 WRIT PETITION NO. 4906 OF 2026

Sandhya Sakaharam Patel & othersPetitioners
VERSUS
The State of Maharashtra & othersRespondents

.....

WRIT PETITION NO. 261 OF 2026

Ratna Magan Bhamare & others .. Petitioners
VERSUS
The State of Maharashtra & others .. Respondents

.....

WRIT PETITION NO. 5245 OF 2026

Hemangi Shaligram Patil & others .. Petitioners
VERSUS
The State of Maharashtra & others .. Respondents

.....

WRIT PETITION NO. 5246 OF 2026

Dattatraya Irbaji Gurupwar & others .. Petitioners
VERSUS
The State of Maharashtra & others .. Respondents

.....

WRIT PETITION NO. 5249 OF 2026

Anjali Gajanan Pampatwar & others .. Petitioners
VERSUS
The State of Maharashtra & others .. Respondents

.....

WRIT PETITION NO. 5250 OF 2026

Pankaj Yadav Hodgar & others .. Petitioners
VERSUS
The State of Maharashtra & others .. Respondents

.....

WRIT PETITION NO. 5244 OF 2026

Harsing Sona Pawara & others .. Petitioners
VERSUS
The State of Maharashtra & others .. Respondents

.....

Mr. J. R. Shah, Mr. Y. B. Bolkar, Mr. K. U. Choudhari, Mr. M. R. Suryawanshi, Mr. E. S. Murge, Advocates for Petitioners in respective petitions.

Mr. A. B. Girase, GP, Mr. S. K. Tambe, Addl. GP, and Mr. R. S. Wani, Mr. A. M. Phule, Mr. V. M. Kagne, Mr. S. B. Pulkundwar, Ms. N. B. Kamble, AGPs for Respondent/State in respective petitions.

Mr. R. N. Jain, Advocate for Zilla Parishad, Nandurbar and Primary Education Officer, in Writ Petition Nos. 4885/2026, 4886/2026, 4889/2026, 4890/2026, 4891/2026, 4892/2026, 4893/2026, 4895/2026, 4900/2026 and 4904/2026.

**CORAM :SMT VIBHA KANKANWADI
& AJIT B. KADETHANKAR, JJ.**

DATE : 8th MAY, 2026.

PER COURT :

1. In these petitions, the Petitioners have prayed for the directions to the Respondents/authorities to give/grant the benefit of Ekstar (One step promotional pay scale) under scheme of G.R. dated 06.08.2002 and 29.02.2024 from the date of appointment of the Petitioners in tribal area and further direction to pay the salary with arrears to the Petitioners by adding one step pay promotional pay scale.

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 petition.

3. In view of the above, we do not find any such circumstance, which would convince us to take a different view.

4. Learned GP vehemently submitted that the Government Resolution on which the Petitioners are relying i.e. Government Resolution dated 06.08.2002 was applicable to the Government

servants and it was not made applicable to the Zilla Parishad employees at that time. Without considering whether the Government Resolutions are applicable to Zilla Parishad employees or not, the concerned officers are now passing the order in view of the orders passed by this Court. Further, when the employees like Petitioners are employed by the private institution wherein they do not have any school beyond PESA/tribal area, then the said resolution will not be applicable. A clarification was issued by the Government by Resolution dated 14.08.2008.

5. The learned Advocates representing the respective parties in those cases (orders which have been annexed to the petition) have clearly stated that the order passed by this Court at the Principal Bench, 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.

6. Now, it is to be noted that when this Court had passed the order in Writ Petition No. 13842/2025, a care was taken to give direction that the concerned officer should consider the Government Resolution. This Court had clearly indicated that the scrutiny will have to be done as per the Government Resolution dated 29.02.2024.

Certainly, then the latest Government Resolution would consider the Government Resolution dated 14.08.2008 also. Further, this Court in any of the orders has not given direction that the proposals of the Petitioners or similarly situated persons should be allowed without scrutiny. Only after those persons are found eligible then only the action as contemplated under the Government Resolution was required to be undertaken. Therefore, in our opinion, all the instructions are very much clear which require no deviation.

7. In view of the above, writ petitions stand allowed in the following terms :-

- i. Respondent/Education Officer (Secondary), Zilla Parishad, 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 and/or any other relevant Government Resolution.
- ii. The cases which have no legal impediment after verification, shall be cleared by the concerned Respondent 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, the concerned Respondent, 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, the concerned Respondent 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 and/or any other relevant Government Resolution.

(AJIT B. KADETHANKAR)
JUDGE

(SMT. VIBHA KANKANWADI)
JUDGE

dyb