in

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6925 OF 2026

Ashok Budhaji Bhawari … Petitioner
Vs
The State of Maharashtra, through its Secretary,
Tribal Development & Ors. …Respondents

WITH
WRIT PETITION NO. 6927 OF 2026

Balu Dattatray Dumbare & Ors. … Petitioners
Vs
The State of Maharashtra, through its Secretary,
Tribal Development & Ors. …Respondents

WITH
WRIT PETITION NO. 6930 OF 2026

Prakash Sakharam Indore & Ors. … Petitioners
Vs
The State of Maharashtra, through its Secretary,
Tribal Development & Ors. …Respondents

WITH
WRIT PETITION NO. 6932 OF 2026

Rajendra Punjaji Bonde & Ors. … Petitioners
Vs
The State of Maharashtra, through its Secretary,
Tribal Development & Ors. …Respondents

WITH
WRIT PETITION NO. 7062 OF 2026

Dattatray Bhimaji Indore … Petitioner
Vs
The State of Maharashtra, through its Secretary,
Tribal Development & Ors. …Respondents

WITH

WRIT PETITION NO. 7078 OF 2026

Audumbar Dattu Sarvade & Ors. … Petitioners
Vs
The State of Maharashtra, through its Secretary,
Tribal Development & Ors. …Respondents

WITH
WRIT PETITION (St.) NO. 13345 OF 2026

Kishor Shrimant Suryawanshi … Petitioner
Vs
The State of Maharashtra, through its Secretary,
Tribal Development & Ors. …Respondents

Mr. Shrikrishna Chaudhari for the petitioner in all the petitions.
Ms. P.N. Diwan, AGP for the State in WP/6925/2026.
Mr. S.P. Kamble, AGP for the State in WP/6927/2026.
Ms. N.M. Mehra, AGP for the State in WP/6930/2026 and WP/7078/2026.
Mr. Aditya R. Deolekar, AGP for the State in WP/6932/2026.
Ms. P.B. Chavan, AGP for the State in WP/7062/2026 and WP(St.)/13345/2026.

CORAM: G. S. KULKARNI &
DR. NEELA GOKHALE, JJ.
DATE: 6 OCTOBER 2026

P.C.

1. In this batch of Writ Petitions, the petitioners, who are working as Head Master, Assistant Teachers, Clerk and Peon at Secondary School in the Tribal areas since their initial date of appointment till date, are seeking reliefs that the respondents be directed to grant them the benefits of one-step pay scale (Eksthar) as per the provisions of Government Resolution dated 6 August, 2022 read with Government Resolution dated 29 February, 2024 with effect from the year 2016.

2. It is the petitioners' case that, considering the plight of the employees

working in schools in tribal areas, who are totally disconnected from and/or deprived of the facilities which are otherwise available in urban areas and as an incentive for such employees to work in tribal area, the State Government, had taken a policy decision to provide additional benefits to employees working in tribal areas, has framed a policy which is reflected in the said Government Resolutions. The common contention is that the benefits under the said policy would accrue to the petitioners so long as they continue to work in tribal areas. It is contended that, although the Government Resolutions clearly mandate that such benefits are to be granted, the petitioners have been deprived of the same and, in these circumstances, there was no alternative to the petitioners but to approach this Court. It is stated that, although the benefits of enhancement under the 7th Pay Commission have been granted, the petitioners have been deprived of the one step pay scale, which was intended as an incentive for them to work in tribal areas. The said benefit was withdrawn for some period, but was subsequently restored by Government Resolution dated 29 February, 2024.

3. Learned counsel for the petitioner has submitted that several representations were made, however, the same have not been taken into consideration. He has also drawn our attention to similar issues having reached this Court and orders being passed by this Court in such proceedings. In such context, our attention is drawn to the order dated 14 October, 2025 passed by the co-ordinate Bench of this Court on a batch of petitions in the case of **Mangesh Pandurang Thepne & Ors. vs. The State of Maharashtra & Ors.**[1] in which the

1 Writ Petition No. 12497 of 2025 along with companion petitions.

Court, considering the earlier order dated 21 December, 2021 passed in Writ Petition No. 8824 of 2021 in **Hiralal Jagannath Bawa & Ors. vs. The State of Maharashtra & Ors.**, allowed the petitions in terms of the following order:

> "6. In view of the above, all these Writ Petitions are allowed in the following terms:-
>
> i. The Respondent-Tribal Development Department/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;
>
> 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."

4. It is their contentions that the present petitions also need to be allowed in the aforesaid terms.

5. Ms. Diwan, learned AGP, has fairly stated that the respondents would not dispute this position that the petitioner would also required to be considered in accordance with law for the benefits which would accrue to them. Hence, these

petitions can be disposed of in terms of the orders passed by the co-ordinate Bench of this Court in **Mangesh Pandurang Thepne & Ors.** (supra).

6. In view of the consensus, we are of the clear opinion that the petitioners are entitled, under the Government policy, to the one-step pay scale, they cannot be deprived of the same. Accordingly, the petitions would be required to be allowed in terms of the order passed by the co-ordinate Bench of this Court in **Mangesh Pandurang Thepne & Ors.** (supra). Ordered accordingly.

7. The petitions stand disposed of in the aforesaid terms. No costs.

8. Let effect be given to the aforesaid directions in respect of the petitioners within a period of six weeks from today.

(DR. NEELA GOKHALE, J.) (G. S. KULKARNI, J.)

Signed by: Vidya S. Amin
Designation: PS To Honourable Judge
Date: 13/10/2026 18:17:55