

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

(908) WRIT PETITION NO. 4607 OF 2026

Jyoti Vasant Chavan ... Petitioner
vs.
The State of Maharashtra & Ors. ... Respondents

**AND
(909) WRIT PETITION NO. 4608 OF 2026**

Sukhdeo Rabhaji Chaskar & Anr. ... Petitioners
vs.
The State of Maharashtra & Ors. ... Respondents

**AND
(915) WRIT PETITION NO. 4640 OF 2026**

Sanjay Dagadu Rane & Ors. ... Petitioners
vs.
The State of Maharashtra & Ors. ... Respondents

**AND
(913) WRIT PETITION NO. 4634 OF 2026**

Rajendra Nilkanthrao Chavan & Ors. ... Petitioners
vs.
The State of Maharashtra & Ors. ... Respondents

**AND
(912) WRIT PETITION NO. 4633 OF 2026**

Balu Kashiba Bangar & Ors. ... Petitioners
vs.
The State of Maharashtra & Ors. ... Respondents

AND
(911) WRIT PETITION NO. 4632 OF 2026

Yakub Daud Inamdar & Anr. ... Petitioners
vs.
The State of Maharashtra & Ors. ... Respondents

AND
(910) WRIT PETITION NO. 4609 OF 2026

Santosh Mahadeo Hande & Ors. ... Petitioners
vs.
The State of Maharashtra & Ors. ... Respondents

AND
(927) WRIT PETITION NO. 4635 OF 2026

Vishwas Khandu Nalavade & Ors. ... Petitioners
vs.
The State of Maharashtra & Ors. ... Respondents

...

Mr.S.U.Chaudhari for the Petitioners in all Petitions.
Mrs. D.S.Deshmukh, AGP for the Respondent -State in Serial No. 908.
Mr.V.G.Badgujar, AGP for the Respondent -State in Serial No. 909.
Mrs. P.N.Diwan, AGP for the Respondent -State in Serial No. 910.
Mrs.N.M.Mehra, AGP for the Respondent -State in Serial No. 911.
Mrs.M.P.Thakur, AGP for the Respondent -State in Serial No. 912.
Mr.A.K.Naik, AGP for the Respondent -State in Serial No. 913.
Mr.A.R.Deolekar, AGP for the Respondent -State in Serial No. 915.
Mr. A.C.Bhadang, AGP for the Respondent -State in Serial No. 927.

...
**CORAM : RAVINDRA V. GHUGE &
ABHAY MANTRI, JJ.**

DATE : APRIL 10, 2026

P.C:

1. In all these Petitions, the Petitioners have put forth identical prayer clauses. For brevity, we are reproducing Prayer Clauses 'B' and 'C'

from Writ Petition No. 4607 of 2026, as under :-

‘B] By issuing writ of Mandamus or any other appropriate writ, order or direction as the case may be, the respondent authorities may kindly be direct to give / release the benefits of Eksthar (one step from the initial date of pay scale) from appointment as per G. R. dated 06.08.2002 & 29.02.2024 as they is working in Tribal / PESA / difficult isa & direct the respondents to pay the salary of the Petitioner as per the Eksthar (one step pay scale) till the Petitioner working in Tribal /PESA / difficult isa and consequential benefits including arrears.

C] The Respondent authorities may kindly be direct to pay arrears of salaries of the Petitioner as per the Eksthar (one step pay scale) from the initial dates of appointment as they is working in Tribal Isa from their appointment till today as per G. R. dated 06.08.2022 issued by the Resp. No. 1 & further directs not to revoke the benefits of Eksthar (one step pay scale) as per G. R. dated 06.08.2002 & 29.02.2024 though petitioner entitled for time bound promotion.”

2. We have considered the submissions of the learned Advocate for the Petitioners and the learned AGPs for the State Authorities. We have perused the series of orders passed by this Court in favour of similarly situated Petitioners, which have been annexed to these Petitions.

3. The learned Advocate for the Petitioners submits that the orders annexed to these Writ Petitions are applicable to the present cases. The order dated 21st December, 2021, passed by this Court, at the Principal Seat, in Writ Petition No.8824 of 2021, is also applicable to this case. All

the AGPs submit that, 12 years of service, which is reckoned for granting A.C.P.S. benefits, cannot overlap with the working in the PESA areas. According to them, once a candidate gets the benefits of the A.C.P.S. in the form of additional increment, after 12 years, if he/she is in PESA, he/she would be entitled for one single increment as long as the candidate is serving in the PESA.

4. In view of the above, all these **Writ Petitions are allowed** in the following terms :-

(i) The Education Officer of the Zilla Parishad shall scrutinize the records of all these Petitioners and the places at which they are deployed for performing their duties, within a period of 30 days.

(ii) Those cases, which are without any legal impediment after verification, shall be cleared by the Education Officer 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 along with arrears as well as their current salaries, within a period of 45 days thereafter.

(iii) After scrutiny, if any of these Petitioners, on the basis of their

records, are found to be ineligible, the Education Officer, Zilla Parishad, would issue notices to each of such Petitioners, so as to enable them to appear before the said authority and address the Education Officer.

(iv) After such hearing, which shall be completed within 90 days, the Zilla Parishad shall pass appropriate orders and grant benefits of one-step pay-scale to those candidates, who are found to be eligible.

(v) Those Petitioners, who suffer adverse orders after the above stated exercise is completed, would be at liberty to avail of a statutory remedy, as is permissible in law.

(vi) If any of these Petitioners have superannuated from service, their pensionary benefits would be recalculated if they are held to be eligible for the one step increment.

(ABHAY MANTRI, J.)

(RAVINDRA V. GHUGE, J.)