

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 2383 OF 2014

Suryakant Marotirao Shahane and
others

.. Petitioners

Versus

The State of Maharashtra and others

.. Respondents

Shri S. B. Talekar, Advocate for Petitioners.

Shri K. G. Patil, Addl.G.P. for Respondent Nos. 1 to 4.

Shri V. S. Panpatte, Advocate for Respondent Nos. 5 and 6.

The Respondent Nos. 7 and 8 are served.

**CORAM : S. V. GANGAPURWALA AND
V. L ACHLIYA, JJ.**

DATE : 25TH FEBRUARY, 2015.

PER COURT :

. Mr. Talekar, the learned counsel for petitioners submits that, the petitioners are entitled for the promotional pay scale who have worked in the tribal and naxalites area. They are entitled for the said benefit as per the Government Resolution dated 06.08.2002. Even though the Government vide its letter dated 03rd September 2012 had directed the Zilla Parishad, Nanded to consider the pay scale as per Government Resolution dated 06.08.2002 for the primary teachers who have worked in Kinwat taluka, but the same is not yet given.

2. Mr. Panpatte, the learned counsel submits that, thereafter the State vide letter dated 17th April, 2013 had said that the same would be required to be reconsidered.

3. We have heard the learned Additional Government Pleader also.

4. It is not a matter of debate that in view of the Government Resolution dated 06.08.2002 the persons who have worked in naxalite and tribal area are entitled for the one step promotional pay scale. The petitioners claim themselves to have worked in the said naxalite/tribal area. It is for the Zilla Parishad to consider and act upon the directions given by the Government vide letter dated 03rd September, 2012. The present petition is not with regard to arrears of 06th Pay Commission.

5. Considering the aforesaid aspects of the matter, we pass the following order.

6. The respondent/Zilla Parishad shall consider the case of petitioners and being satisfied that the petitioners having worked in the tribal/naxalite area and satisfy the criteria laid down in the Government Resolution dated 06.08.2002, then the respondent/Zilla Parishad shall award the benefit of the one step promotional/next higher promotional pay scale to the petitioners.

The said exercise shall be done by the respondent/Zilla Parishad expeditiously and preferably within a period of four (4) months from today and if the petitioners are found, eligible shall make the payment. The writ petition accordingly is disposed of. No costs.

[V. L ACHLIYA, J.]

[S. V. GANGAPURWALA, J.]

bsb/Feb. 15