

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

**WRIT PETITION NO.5277 OF 2009
WITH
CIVIL APPLICATION NO.16202 OF 2016**

**Lalsing S/o Jamsing Pawar and others. Vs. The State of
Maharashtra and others.**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr.S.A.Dheple, advocate holding for Mr.A.D.Pawar, advocate for the petitioners.
Ms.R.P.Gour, A.G.P. for the State.

**CORAM : S.V.GANGAPURWALA AND
K.L.WADANE, JJ.
Date : 16.12.2016.**

PER COURT :

1. Heard.
2. The learned counsel for the petitioners states that petitioners are the members of the non-teaching staff in Ashram School run by the Social Welfare Department for VJNT. The learned counsel submits that petitioners are entitled to receive the benefit of the time bound promotional pay-scale upon completion of 12 years of service and the petitioners would be covered by the benefits accorded to the employees of the aided Ashram Schools under G.R. dated 30.4.1998.

3. According to the learned counsel, the case of the petitioners is covered by the judgment and order dated 15.6.2015 delivered in W.P.No.446/2015.

4. Learned A.G.P. on going through the judgment in W.P.No.446/2015 dated 15.6.2015 accepts that the present petitioners are similarly situated as the petitioners in the said Writ Petition.

5. In view of the reasons recorded in the order dated 15.6.2015 in W.P.No.446/2015, we allow the present petition and pass the following order :

- a) The impugned order is quashed and set aside.
- b) The Respondent authorities shall examine individual cases of the petitioners for deciding whether they satisfy criteria laid down for extending benefit of A.C.P.S. to the Group C and D employees of aided ashram schools under G.R. dated 30.4.1998. The authorities shall consider the said scheme applicable to the persons of the non-teaching staff of the aided Ashram Schools like the petitioners. In case the petitioners are found eligible to said benefits, the same shall be extended to them accordingly.
- c) Rule accordingly made absolute in above terms. No costs.
- d) In view of disposal of Writ Petition, the Civil Application

also stands disposed of.

(K . L . WADANE , J .)

(S . V . GANGAPURWALA , J .)

Dt.16.12.2016.
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