

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

WRIT PETITION NO.90 OF 2017

1. Uttam Dhansing Rathod,
Age : 50 years,
Occ. Service as Kamathi,
Nath Nagar, Bhutanhipparga
Chowk, Tq. Degloor,
Dist. Nanded
 2. Ushatai Dhanaji Chavan,
Age : 42 years,
Occ. Service as Cook,
r/o. Primary Ashram School,
Nath Nagar, Bhutanhipparga
Chowk, Tq. Degloor,
Dist. Nanded
- ..Petitioner

Vs.

1. The State of Maharashtra,
Through its Secretary,
Social Welfare Department,
Mantralaya, Mumbai
2. The Director,
V.J.N.T., OBC and SBC Special,
Assistant Department,
Maharashtra State, Pune
3. The Regional Deputy Commissioner,
Social Welfare, Latur Division,
Latur
4. The Assistant Commissioner,
Social Welfare Department,
Nanded

5. Primary Ashram School,
Nath Nagar, Bhutanhipparga
Chowk, Tq. Degloor,
Dist. Nanded
Through Headmaster
(Name of respondent no.5
stands deleted as per the
order dated 24.03.2017)

..Respondents

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Mr.A.V.Indrale-Patil, Advocate for petitioners

Mr.R.B.Bagul, AGP for respondent nos.1 to 4

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**CORAM : S.V. GANGAPURWALA AND
SANGITRAO S. PATIL, JJ.**

DATE : MARCH 24, 2017

ORAL JUDGMENT (Per S.V.Gangapurwala, J.) :

Heard.

2. At the request of learned counsel for the petitioner, name of respondent No.5 stands deleted.

3. Rule. Rule made returnable forthwith. With the consent of the parties, the petition is taken up for final hearing and disposal at the admission stage.

4. The issue raised in the instant petition is no more res-integra and is also covered by the Judgment delivered by the Division Bench at the Principal seat in Writ petition No.2358/2013 and other companion matters decided on 21st September, 2013.

5. The aforesaid decision has been followed in number of matters, including a group of petitions bearing Writ Petition No.7256 of 2011 and other companion matters decided by the Division Bench of this Court on 2nd December, 2013. In view of the decisions referred to above, the instant Writ Petition also deserves to be allowed and the same is accordingly allowed.

6. The respondents are directed to examine the cases of each of the individual petitioner for deciding whether they satisfy the criteria laid down for claiming benefits under the A.C.P.S. to the private aided Government schools under the

Government Resolution dated 30th April, 1998, as modified from time to time, and if it is found that the petitioners are entitled to claim benefits under the Scheme and they satisfy the eligibility criteria, the respondents shall extend the benefits to the petitioners. The respondents shall scrutinize the cases of individual petitioners within a period of six months and extend the benefits to such petitioner who is found eligible, as expeditiously as possible preferably within a period of four months from such scrutiny.

7. Rule is made absolute in the above terms. The Writ Petition stands disposed of in the above terms.

[SANGITRAO S. PATIL, J.] [S.V. GANGAPURWALA, J.]