

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.1724 OF 2017**Vinod S/o Chimanrao Kale 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.V.A.Dhakne, advocate for the petitioners.
 Mr.P.S.Patil, Additional Government Pleader for the State.

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

Date : 08.02.2017.

PER COURT :

1. Heard.
2. Issue notice to the Respondents.
3. Learned A.G.P. waives notice for all Respondents.
4. Mr.Dhakne, learned counsel submits that the issue involved in the present Writ Petition is covered by various orders passed by this Court. One such order is annexed at Exh.F.
5. Mr.Patil, learned Additional Government Pleader upon going through the petition accede to the fact that the petitioners herein are similarly situated as petitioners in W.P.No.8441/2014 decided on 7.10.2014. In view of that, we adopt the same course

and pass the following order :

- a) We declare that the benefit of ACPS, which is applicable to the employees of Group “C” and “D” non-teaching staff of the aided Private Schools in the State under the Government Resolution dated 30th April, 1998 as modified from time to time shall be available to the non-teaching staff of the same category in the private aided Ashram Schools.
- b) The appropriate Authority appointed by the State Government shall examine the individual cases of the petitioners for deciding whether they satisfy the criteria laid down for availability of the benefit of ACPS to the private aided Government Schools under the Government Resolution dated 30th April, 1998 as modified from time to time.
- c) We make it clear that the petitioners will be entitled to the benefit of the said scheme provided they satisfy the eligibility criteria which is prescribed for the corresponding non-teaching staff of the private aided Schools.
- d) We grant time of six months to the respondents to scrutinize the cases of the petitioners and to consider whether they are eligible for the benefit of ACPS.
- e) Those petitioners who are found eligible, the benefit shall be extended, as expeditiously as possible.

f) The Writ Petition is accordingly disposed of. No costs.

(K . L . WADANE , J .)

(S . V . GANGAPURWALA , J .)

Dt.08.02.2017.
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