

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.1786 OF 2017

**Kantabai Bhivaji Dhawale and others Vs. The State of
Maharashtra and others.**

WITH

WRIT PETITION NO.1791 OF 2017

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.A.D.Pawar, advocate for the petitioners.
Mr.P.S.Patil, Additional Government Pleader,
Mr.Y.G.Gujrathi, A.G.P. for the State.

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

Date : 08.02.2017.

PER COURT :

1. Heard.
2. Mr.Pawar, learned counsel for the petitioners states that petitioners are similarly situated as the petitioners in W.P.No.5047/2014 and W.P.No.446/2015. The learned A.G.Ps. on verifying the case of the petitioners in the present Writ Petitions and that of the W.P.No.446/2015 decided on 15.6.2015 accept that the petitioners are similarly situated with the petitioners in the said Writ Petitions bearing No.446/2015 and 5047/2014.
3. In view of that, we follow the same course.
4. In light of the above, the impugned order dis-entitling the

petitioners from the benefit of A.C.P.S. only on the ground that it is not applicable to the Group C and D employees is quashed and set aside. It is hereby observed that, the benefits of A.C.P.S. scheme are applicable even to non-teaching staff of private aided ashram schools.

5. 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.

6. The Writ Petitions are accordingly disposed of. No costs.

(K . L . WADANE , J .)

(S . V . GANGAPURWALA , J .)

Dt.08.02.2017.
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