

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.2029 OF 2017

Manohar S/o Venkati Madewar 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
--	---------------------------

Mr.V.A.Dhakne, advocate for the petitioner.
Mr.Y.G.Gujrathi, A.G.P. for the State.

**CORAM : S.V.GANGAPURWALA AND
K.L.WADANE, JJ.**
Date : 14.02.2017.

PER COURT :

1. Heard.
2. Mr.Dhakne, learned counsel submits that the petitioners are similarly situated as the petitioners in Writ Petition No.8441/2014 decided on 7.10.2014.
3. Issue notice to the Respondents.
4. Learned A.G.P. waives notice for all Respondents.
5. Learned A.G.P. on going through the petition and the judgment in Writ Petition No.8441/2014 affirms that the petitioners are similarly situated.
6. In view of that we follow 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 accordingly disposed of. No costs.

(K . L . WADANE , J .)

(S . V . GANGAPURWALA , J .)

Dt.14.02.2017.
asp/office/wp2029.17