

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2322 OF 2017

Venkat S/o Maruti Gaikwad

Petitioner

V E R S U S

The State of Maharashtra, Through
Secretary, Social Justice &
Special Help Department,
Mantralaya, Mumbai-32 & five Ors.

Respondents

Mr. Ajay D. Pawar, Advocate for the petitioner
Mr. P.S. Patil, A.G.P. for respondent/State

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

DATE : 21ST FEBRUARY, 2017

PER COURT :

1. The petitioner seeks grant of timebound promotion/Assured Career Progress Scheme (ACPS) benefit after completion of 12 years of service. The petitioner was working as Class-IV in Ashram School run by Social Welfare Department. The learned counsel relies upon the order passed in Writ Petition No. 11858 of 2015, dated 23rd August, 2016.

2. Learned A.G.P. accepts notice for respondent Nos. 1 to 5. Learned A.G.P., on going through the Judgment passed in Writ Petition No. 11858 of 2015 affirms that the present petitioner is similarly situated as petitioner in Writ Petition No. 11858 of 2015. In the light of above, we follow the similar order, as under :-

"The case of the petitioner for grant of benefit of ACPS/time Bound Promotion shall not be rejected only on the ground that the said benefit is not extended to the members of the non teaching staff of the Ashram School. The respondents shall scrutinize the case of the petitioner and consider the eligibility of the petitioner, however, shall not reject the claim of the petitioner only on the ground that Government Resolutions dated 27th March, 2000 and 30th April, 1998 are not applicable to the petitioner. Respondent No. 4 shall decide the same expeditiously, preferably within a period of six months from today."

3. Writ Petition is disposed of accordingly.

(K.L. WADANE, J.)

(S.V. GANGAPURWALA, J.)

SRM/21/2/17