

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

13 WRIT PETITION NO. 2936 OF 2017

MAROTI MADHAVRAO AKALE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Pawar Ajay D.
Addl.GP for Respondents State: Mrs. M.A. Deshpande

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

DATE : 7th March, 2017

ORDER:

1. Heard.
2. Learned A.G.P.accept notice for the Respondents.
3. Mr.Pawar, learned counsel submits that the issue in the present petition is covered by the order of this Court in various Writ Petitions such as W.P.No.446/2015 decided on 15.6.2015. The learned A.G.P. on going through the said order and the present petition, affirms that the petitioner is similarly situated.
4. In light of the above, we pass the following order :
 - (i) 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 ;

(ii) The appropriate Authority appointed by the State Government shall examine the case of the petitioner for deciding whether he satisfies 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;

(iii) We make it clear that the petitioner will be entitled to the benefit of the said scheme, provided he satisfies the eligibility criteria which is prescribed for the corresponding non-teaching staff of the private aided Schools;

(iv) We grant time of six months to the respondents to scrutinize the cases of the petitioner and to consider whether he is eligible for the benefit of ACPS;

(v) If found eligible, the benefit shall be extended to the petitioner, as expeditiously as possible;

(vi) The writ petition is disposed of on above terms.
No costs.

(K. L. WADANE, J.)

(S. V. GANGAPURWALA, J.)