

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

WRIT PETITION NO. 4018 OF 2017

Kanhoba Sonaji Ghangale

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Vijay A. Dhakne, Advocate for Petitioners.

Shri R. B. Bagul, A.G.P. for Respondent Nos. 1 to 4.

**CORAM : S. V. GANGAPURWALA AND
SANGITRAO S. PATIL, JJ.**

DATE : 23RD MARCH, 2017.

PER COURT :

. The petitioner is the member of the non teaching staff in Group - D category. He claims the benefit of A.C.P.S.

2. Mr. Dhakne, the learned counsel for the petitioner and Mr. Bagul, the learned A. G. P. submit that, the parties would be governed by the decision of the Division Bench of this Court at Principal Seat at Bombay in Writ Petition No. 2358 of 2013 with other connected writ petitions decided vide judgment dated September 21, 2013.

3. In the light of that, we also adopt the same recourse and pass the following order.

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 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.

C. 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.

D. We grant time of six months to the respondents to scrutinize the case of the petitioner and to consider whether he is eligible for the benefit of ACPS.

E. If The petitioner is found eligible, the benefits shall be

extended, as expeditiously as possible.

F. The writ petition accordingly disposed of. No costs.

[SANGITRAO S. PATIL, J.]

[S. V. GANGAPURWALA, J.]

bsb/March 17