

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4522 OF 2017
(Vandana Kisanrao Bhalerao Vs. The State of Maharashtra
and others)

Mr. Ajay D. Pawar, Advocate for the Petitioner
Mr. V.S. Badakh, A.G.P. for the respondent/State

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

DATE : 5th APRIL, 2017

ORAL ORDER :

Heard.

2. The learned A.G.P. accepts notice for the respondents.

3. Mr. Pawar, the learned counsel for the petitioner submits that the issue in the present writ petition is covered by the order of this Court in various Writ Petitions such as Writ Petition No. 446/2015 decided on 15th June, 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 the light of 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 she 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 she 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 case of the petitioner and to consider whether she is eligible for the benefit of ACPS;

(v) In case the petitioner is found eligible, the benefit shall be extended to her as expeditiously as possible;

5. The Writ Petition is disposed of in the above terms. No costs.

[SANGITRAO S. PATIL]
JUDGE

[S.V. GANGAPURWALA]
JUDGE

npj/wp4522-2017