

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3760 OF 2016

(Jothmal Bhagchand Naik And Others Vs. The State Of
Maharashtra And Others)

WITH

WP/3773/2016 WITH WP/3774/2016 WITH WP/3775/2016
WITH WP/3776/2016 WITH WP/3779/2016 WITH WP/3780/2016

WITH

WRIT PETITION NO. 11167 OF 2016

(Namdeo Joytiram Khillare And Others Vs. The State of
Maharashtra and others)

WITH

WRIT PETITION NO. 11669 OF 2016

(Vasant Gopalrao Machale And Others Vs. The State of
Maharashtra and others)

WITH

WRIT PETITION NO.309 OF 2017

(Ashok Chokha Dehade Vs. The State of Maharashtra
and others)

WITH

WRIT PETITION NO. 344 OF 2017 WITH
WRIT PETITION NO.4893 OF 2014 WITH
WRIT PETITION NO.6157 OF 2016 WITH
WRIT PETITION NO.6153 OF 2016 WITH
WRIT PETITION NO.6150 OF 2016

Mr. Ajay D. Pawar, Advocate for the Petitioners in all
the writ petitions

Mr. B.S.Badakh, A.G.P. for the respondent/State in all
the writ petitions

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

DATE : 30th MARCH, 2017

PER COURT :

Heard.

2. Learned A.G.P. accepts notice for Respondents.

3. Mr.Pawar, learned counsel submits that the issue in the present petitions 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 petitions, affirms that the petitioners are 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 individual cases of the members 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;

(iii) We make it clear that the petitioners' member 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;

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

(v) To those petitioners who are found eligible, the benefit shall be extended, as expeditiously as possible;

(vi) The writ petitions are disposed of on above terms. No costs.

[SANGITRAO S. PATIL]
JUDGE

[S.V. GANGAPURWALA]
JUDGE