

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

905 WRIT PETITION NO. 10686 OF 2017

ASHOK GANPATRAO MUNDE

VERSUS

THE STATE OF MAHARASHTRA AND ORS.

...

WITH

964 WRIT PETITION NO. 14304 OF 2017

MANGAL SUDAMRAO GITE AND ORS.

VERSUS

THE STATE OF MAHARASHTRA AND ORS.

...

WITH

1076 WRIT PETITION NO. 14741 OF 2017

JAGANNATH BHIVSAN MISTRI

VERSUS

THE STATE OF MAHARASHTRA AND ORS.

...

WITH

1075 WRIT PETITION NO. 14742 OF 2017

PRATAP APPASAHEB DANVE AND ORS.

VERSUS

THE STATE OF MAHARASHTRA AND ORS.

...

WITH

1078 WRIT PETITION NO. 14743 OF 2017

RAM SHANKAR GURAV AND ANR.

VERSUS

THE STATE OF MAHARASHTRA AND ORS.

...

Mr. Ajay D.Pawar, Advocate for Petitioner .

Mr. R.V.Dasalkar & Mr.C.S.Kulkarni,

AGP for Resp. - State.

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CORAM : S.V.GANGAPURWALA &

V.L.ACHLIYA, JJ.

DATE : 20th DECEMBER, 2017

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ORAL ORDER :

1. Heard.
2. Learned A.G.Ps. accept 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 15/06/2015. 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 Govt. 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 Govt. 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 Govt. schools under the Govt. 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.

[V.L.ACHLIYA, J.]

[S.V.GANGAPURWALA,J.]