

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 13416 OF 2017

Smt. Sushila d/o Marotrao Ritthe
& others

Petitioners

Versus

The State of Maharashtra
& others

Respondents

Mr. V.A. Dhakne, advocate for petitioners.
Mr. S.P. Sonpawale, A.G.P. for respondents.

CORAM : R.M.BORDE &

SMT. VIBHA KANKANWADI, JJ.

DATE : 27th NOVEMBER, 2017

PER COURT:

1. The grievance raised by petitioners in the instant petition is squarely covered by the decision of Division Bench of this Court rendered in Writ Petition No. 2358/2013 and other companion petitions decided on 21.09.2013. The facts giving rise to the instant petition are exactly identical to the facts of the decided matters.

2. In this view of the matter, for the reasons recorded while disposing of Writ Petition no. 2358/2013 and other companion petitions, instant petition also stands disposed of with following directions :

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 individual cases of 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.

C. We make it clear that the petitioners 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.

D. We grant time of six months to the respondents to scrutinize the cases of the petitioners and to consider whether they are eligible for the benefit of ACPS.

E. Those petitioners who are found eligible, the benefit shall be extended, as expeditiously as possible.

F. Writ petition accordingly stands disposed of. No costs.

SMT. VIBHA KANKANWADI
JUDGE

R.M.BORDE
JUDGE