

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

WRIT PETITION NO. 1855 OF 2017

Sambhusing Ramsing Chavan and another.. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Ajay D. Pawar, Advocate for Petitioners.
Shri P. S. Patil, Addl.G.P. for Respondent Nos. 1 to 4.

**WITH
WRIT PETITION NO. 11323 OF 2015**

Devidas Govind Pawar and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Ajay D. Pawar, Advocate for Petitioners.
Shri R. B. Bagul, A.G.P. for Respondent Nos. 1 to 4.

**CORAM : S. V. GANGAPURWALA AND
K. L. WADANE, JJ.**

DATE : 09TH FEBRUARY, 2017.

PER COURT :

. Mr. Pawar, the learned counsel for petitioners submits that the petitioners are the persons from non teaching staff. The benefits of Government Resolution dated 30.04.1998 is available

to the petitioners. The petitioners be given the said benefits and they are entitled for the benefit of Assured Progressive Scheme. According to the learned counsel they are covered by the judgment of this Court at its Principal Seat dated 21st September, 2013 in Writ Petition No. 2358 of 2013 and connected writ petitions.

2. Mr. Patil and Mr. Bagul, the learned A.G. P. on going through the petition, do not dispute the said fact that the petitioners herein are covered by the judgment of the Division Bench referred supra. In the light of above, the issue is no longer res integra. Hence 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.

[K. L. WADANE, J.]

[S. V. GANGAPURWALA, J.]