

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

WRIT PETITION NO.789 OF 2017

Suchita w/o. Nivrutirao Kambale
(Davare) ..Petitioner

Vs.

The State of Maharashtra
and ors. ..Respondents

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Mr.P.s.Koshti, Advocate for petitioner
Mr.V.S.Badakh, AGP for respondent nos.1 and 2

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**CORAM : S.V. GANGAPURWALA AND
SANGITRAO S. PATIL, JJ.
DATE : APRIL 03, 2017**

ORDER :

Mr.Koshti, learned Counsel for the petitioner submits that the petitioner is praying for grant of benefit of second A.C.P.S.

2. According to the learned AGP in view of the Government Resolution dated 01.07.2011, the petitioner is not entitled for the said benefit.

3. The learned Counsel for the petitioner invites our attention to the judgment of this

Court dated 24.06.2016 in Writ Petition No.7062 of 2014 (The State of Maharashtra and ors Vs. Dattatraya D. Mehta and ors.) and other connected petitions. He submits that the said Government Resolution has been set aside by the Maharashtra Administrative Tribunal, which order has been confirmed by the High Court. The learned AGP also accedes to the said fact. In view of that, the impugned communication made to the petitioner, that the petitioner cannot be given benefit of the Government Resolution dated 01.04.2010 in view of the clarificatory Government Resolution dated 01.07.2011, does not stand to reason.

4. The respondents shall accord the benefits of the Government Resolution dated 01.04.2010 to the petitioner as is permissible under the said Government Resolution. This be done expeditiously and preferably, within a period of six months from the date of this order.

5. With these directions, the Writ Petition stands disposed of. No costs.

[SANGITRAO S. PATIL, J.] [S.V. GANGAPURWALA, J.]

kbp