

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

WRIT PETITION NO. 2166 OF 2017

Kerba S/o Vitthal Gaikwad .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Ajay D. Pawar, Advocate for the Petitioner.
Shri Y. G. Gujrathi, A.G.P. for Respondent Nos. 1, 3 to 5.

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

DATE : 15TH FEBRUARY, 2017.

PER COURT :

. The learned Assistant Government Pleader accepts notice for respondent Nos. 1, 3 to 5.

2. Mr. Pawar, the learned counsel for the petitioner states that, the petitioner is working on Class III post in the Ashram School run by the Social Welfare Department of V.J.N.T. The petitioner has retired. The learned counsel submits that, the petitioner herein is similarly situated person as petitioners in Writ Petition No. 446 of 2015 decided on 15.06.2015.

3. The learned Assistant Government Pleader on going through the judgment and the matter confirms that the present

petitioner is similarly situated person as petitioners in Writ Petition No. 446 of 2015. In view of that, we adopt the same course.

4. The respondent authorities shall examine case of the petitioner for deciding whether he satisfies criteria laid down for extending benefit of A.C.P.S. to the Group C employee of aided ashram school under G. R. dated 30.04.1998. The authorities shall consider the said scheme applicable to persons of the non teaching staff of the aided Ashram school like the petitioner. In case the petitioner is found eligible to said benefits, the same shall be extended to him accordingly. The writ petition accordingly is disposed of. No costs.

[K. L. WADANE, J.]

[S. V. GANGAPURWALA, J.]