

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO. 829 OF 2018

- 1 Sanjaykumar s/o Govindrao Rebale
Age 39 years, occ. service as
Junior Clerk.
- 2 Satish s/o Manikrao Rathod
Age 43 years, occ. service as
Laboratory Attendant
- 3 Govind s/o Jaising Rathod
Age 47 years, occ. service as
Peon
- 4 Ashok s/o Ganpat Rathod
Age 44 years, occ. service as
Peon
- 5 Bhimrao s/o Ramkishan Rathod
Age 41 years, occ. service as
Peon
- 6 Prakash s/o Devala Rathod
Age 39 years, occ. service as
Cook.
- 7 Rajaram s/o Shankar Chavan
Age 47 years, occ. service as
Kamathi
- 8 Datta s/o Laxman Walage
Age 38 years, occ. service as
Kamathi
- 9 Santosh s/o Baliram Jadhav
Age 47 years, occ. service as
Superintendent.
- 10 Uttam s/o Dhansing Rathod
Age 49 years, occ. service as
Cook.

11 Ashok s/o Tulshiram Garje
Age 53 years, occ. service as
Cook.

12 Shivaji s/o Mansing Jadhav
Age 46 years, occ. service as
Helper.

13 Shivaji s/o Somsing Rathod
Age 49 years, occ. service as
Kamathi

All r/o Manjari, Tq. Mukhed
Dist. Nanded.

Petitioners

Versus

1 The State of Maharashtra
Through its Secretary
Social Justice and Special
Assistance Department,
Mantralaya, Mumbai 32.

2 The Assistant Commissioner
Social Welfare Department
Nanded, Dist. Nanded.

3 Secondary Ashram School
Manjari, Tq. Mukhed
Dist. Nanded.

4 Primary Ashram School
Manjari, Tq. Mukhed
Dist. Nanded

Respondents

Mr. V.S. Panpatte, advocate for petitioners.

Mrs. G.L. Deshpande, AGP for respondents no. 1 and 2.

Mr. V.B. Jadhav, advocate for respondents no. 3 and 4.

CORAM : R.M.BORDE AND

MANGESH S. PATIL, JJ.

DATE : 16th October, 2018.

JUDGMENT : (Per R.M. Borde, J.)

1. Rule. Rule made returnable forthwith.
2. Heard finally at admission stage with the consent of learned counsel for the respective parties.
3. The issue raised in the instant petition is no more *res integra* and is covered by the decision rendered by Division Bench of this Court in Writ Petition No. 1627/2016 decided on 25.09.2016.
4. For the reasons recorded in the aforesaid judgment, we issue following directions :

The respondents are directed to examine the case of the petitioners for deciding whether they satisfy the criteria laid down for claiming benefits under the ACPS to the private aided Government schools under the Government Resolution dated 30th April 1998, as modified from time to time, and if it is found that the petitioners are entitled to claim benefits under the scheme, and they satisfy the eligibility criteria, the respondents shall extend the benefits to the petitioners. The respondents shall scrutinize the case of the petitioners within a period of six months, and extend them the benefits as expeditiously as possible, and preferably within a period of four months from such scrutiny.

5. Rule made absolute in above terms.

MANGESH S. PATIL
JUDGE

R.M.BORDE
JUDGE