

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

WRIT PETITION NO.6210 OF 2018

Himmat Dhairyasing Chaudhari & ors.

Petitioners.

Versus

The State of Maharashtra and others.

Respondents.

WITH

WRIT PETITION NO.6234 OF 2018

Rajendra Pandit Thorat.

Petitioner.

Versus

The State of Maharashtra and others.

Respondents.

WITH

WRIT PETITION NO.1524 OF 2018

Anand s/o Kisan Rahod & others.

Petitioners.

Versus

The State of Maharashtra and others.

Respondents.

WITH

WRIT PETITION NO.1527 OF 2018

Shrish Vasant Bhalerao and others.

Petitioners.

Versus

The State of Maharashtra and others.

Respondents.

**WITH
WRIT PETITION NO.1642 OF 2018**

Ashok Bhaurao Pawar.

Petitioner.

Versus

The State of Maharashtra and others.

Respondents.

**WITH
WRIT PETITION NO.1643 OF 2018**

Kusumbai Baburao Rathod.

Petitioner.

Versus

The State of Maharashtra and others.

Respondents.

Mr. A.D. Pawar, Advocate for the petitioners.

Mr. S.B. Yawalkar, A.G.P. for the State.

CORAM : **S.V. GANGAPURWALA &
SUNIL K. KOTWAL, JJ.**

Dated : **21st June, 2018.**

PER COURT :-

. Heard.

2. The learned Assistant Government Pleader accept notice for respondents in respective matters.

3. Mr Pawar, learned counsel submits that the issue in the present petitions is covered by the order of this Court in various Writ Petitions such as Writ Petition No. 446 of 2015 decided on 15.6.2015. The learned A.G.P., on going through the said order and the present petitions, affirm that the petitioners are similarly situated.

4. In light of the above, 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 Govt. Resolution dated 30th April, 1998 as modified from time to time shall be available to the nonteaching staff of the same category in the private aided Ashram Schools;
- (II) The appropriate authority appointed by the State Govt. shall examine the individual cases of the petitioners for deciding whether they satisfy the criteria laid down for availability of the benefit of ACPS to the private aided Govt. schools under the Govt. Resolution dated 30th April, 1998 as modified from time to time;
- (III) 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 nonteaching 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

petitioners 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. No costs.

(SUNIL K. KOTWAL)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

vdd/