

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

WRIT PETITION NO. 2930 OF 2017

Vitthal Dagduji Bhagat

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Ramesh I. Wakade, Advocate for the Petitioner.

Shri K. N. Lokhande, A.G.P. for Respondent Nos. 1, 3 and 4.

Shri Vilas P. Savant, Advocate for the Respondent No. 5.

**CORAM : S. V. GANGAPURWALA AND
A. M. DHAVAL, JJ.**

DATE : 14TH FEBRUARY, 2018.

FINAL ORDER :

. The petitioner is working as a Class IV employee of the respondent No. 7/handicap school. The petitioner claimed A.C.P.S. benefits as per the Government Resolution dated 13th August, 2009.

2. We have heard the learned counsel for the petitioner, the learned Assistant Government Pleader for respondent Nos. 1, 3 and 4 and the learned counsel for the respondent No. 5.

3. The benefits of A.C.P.S. would be applicable to the Class IV employee (petitioner) in view of the G. R. dated 13th August,

2009.

4. The management shall forward the proposal with regard to grant of ACPS benefits to the petitioner as per G. R. dated 13.08.2009 to the competent authority. The competent authority shall examine the case of the petitioner and shall decide whether the criteria laid down for availability of the ACPS benefits as per G. R. dated 13.08.2009 is satisfied and in case respondents come to the conclusion that, the petitioner satisfies the eligibility criteria, then shall extend the benefits to the petitioner expeditiously. The respondent/management shall forward the proposal within a period of six weeks from the receipt of order of this Court. The respondent/authority shall on receipt of the proposal take decision upon it within a period of six (06) months thereafter. The respondent No. 3 may decide the representation filed by the petitioner with regard to increments and other benefits (Exhibit - D). The writ petition is disposed of. No costs.

[A. M. DHAVALÉ, J.]

[S. V. GANGAPURWALA, J.]

bsb/Feb. 18