

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

WRIT PETITION NO. 3229 OF 2017

Shri. Manik Rambhau Ranbavle & Ors. ... Petitioners

VERSUS

The State of Maharashtra & Ors. ... Respondent

.....
Mr Ramesh I. Wakade, Advocate for the petitioners
Mr A. S. Shinde, AGP for respondent/State
.....

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

DATE : 14TH MARCH, 2018.

ORDER:

1. Petitioners No. 1 and 2 are working as members of the teaching staff and petitioner No. 3 is working on the post of Cook (Class-IV post) as member of non-teaching staff. The petitioners seek benefit of Time Bound Promotion Pay Scale/ACPS and relied on the Government Resolution dt. 13.08.2009.

2. The Government Resolution dt. 13.08.2009 is applicable to the members of non-teaching staff only. In view of that only petitioner No. 3 would be entitled for the said benefit.

3. The respondents No. 5 and 6 shall forward the proposal with regard to grant of ACPS benefits to petitioner No. 3 as per Government Resolution dt. 13.08.2009, to the competent authority. The competent authority shall examine the case of the petitioner no. 3 and shall decide whether the criteria laid down for availability of the ACPS benefit as per Government Resolution dt. 13.08.2009 is satisfied and in case respondents come to the conclusion that the petitioner no.3 satisfies the eligibility criteria, then shall extend the benefits to the petitioner no. 3, expeditiously. The respondent/management shall forward the proposal within a period of six weeks from the date of receipt of order of this Court. The respondent/authority shall on receipt of the proposal take decision upon it within a period of six months thereafter.

4. As far as the relief with regard to the pay scale and unpaid wages is concerned, it is stated that the petitioners have already filed representation (page 31). The authority shall decide the same on its own merits, in accordance with law, expeditiously, preferably within six months.

5. In case the petitioners claim benefit of increments, then the representation made by the petitioners shall be considered by the

respondent-authority, expeditiously, preferably within three months from the date of the application made.

6. The writ petition is disposed of. No costs.

[A. M. DHAVALA]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

Punde