IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5191 OF 2018

Shivaji Atmaram Gutte and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

WITH
WRIT PETITION NO. 5202 OF 2018

Indrajit Dattatraya Ippar .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

WITH
WRIT PETITION NO. 5203 OF 2018

Subhan Hasan Tadvi .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

WITH
WRIT PETITION NO. 5205 OF 2018

Arun Vinayak Patil .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

WITH
WRIT PETITION NO. 5206 OF 2018

Ginyanbai Jinbhau Patil .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

WITH
WRIT PETITION NO. 5207 OF 2018

Hemant Raghunath Mahale .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

WITH
WRIT PETITION NO. 5217 OF 2018

Chandrakala Ramesh Unwane .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

WITH
WRIT PETITION NO. 5226 OF 2018

Suvarna Vikram Etape .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

WITH

WRIT PETITION NO. 5227 OF 2018

Parasram Sakharam Rathod .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Ajay D. Pawar, Advocate for the Petitioner in all matters.
Shri K. N. Lokhande, A.G.P. for All Respondents in W. P. No. 5191 of 2018, W. P. No. 5203 of 2018 and W. P. No. 5227 of 2018.
Shri P. N. Kutti, A.G.P. for All Respondents in W. P. No. 5202 of 2018 and W. P. No. 5226 of 2018.
Shri S. B. Yawalkar, A.G.P. for All Respondents in W. P. No. 5205 of 2018 and W. P. No. 5217 of 2018.
Shri S. G. Karlekar, A.G.P. for All Respondents in W. P. No. 5206 of 2018.
Shri A. V. Deshmukh, A.G.P. for All Respondents in W. P. No. 5207 of 2018.

CORAM : S. V. GANGAPURWALA AND SUNIL K. KOTWAL, JJ.
DATE : 06TH JUNE, 2018.

ORDER :

. 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 non-teaching 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 non-teaching 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, J.] **[S. V. GANGAPURWALA, J.]**

bsb/June 18