

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7658 OF 2018

Kavita Sitaram Patil and others .. **Petitioners**

Versus

The State of Maharashtra and others.. **Respondents**

WITH

WRIT PETITION NO. 7659 OF 2018

Shriram Diggambar Shinde .. **Petitioner**

Versus

The State of Maharashtra and others.. **Respondents**

Shri Ajay D. Pawar, Advocate for the Petitioners.
Shri S. G. Karlekar and Shri A. V. Deshmukh,
A.G.Ps. for Respondents.

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

DATE : 12th July, 2018

PER COURT :

1. Heard.

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

3. Mr Pawar, the 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.Ps. on going through the said order and the present petitions, affirm that the petitioners are similarly situated.

4. In the light of above, we pass following order -

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 Government 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 Government 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 Government schools under the Government 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;

5. Writ Petitions accordingly stand disposed of.
No costs.

[SUNIL K. KOTWAL, J.]

[S. V. GANGAPURWALA, J.]

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