IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 9414 OF 2018

Kurban Hasan Tadvi and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Ajay D. Pawar, Advocate for Petitioners.
Shri K. N. Lokhande, A.G.P. for Respondent Nos. 1 to 3.

CORAM : S. V. GANGAPURWALA AND
SUNIL K. KOTWAL, JJ.
DATE : 13TH AUGUST, 2018.

FINAL ORDER :

. Heard.

2. The learned Assistant Government Pleader accept notice for respondents.

3. Mr Pawar, learned counsel submits that the issue in the present petition 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 petition, 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 Petition is disposed of. No costs.

[SUNIL K. KOTWAL, J.] **[S. V. GANGAPURWALA, J.]**

bsb/Aug. 18

Bhalchandra Sudhakar Bodke

Digitally signed by Bhalchandra Sudhakar Bodke
Date: 2018.08.16 11:58:13 +0530