

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 13542 OF 2017

Bhanudas Vyankatrao Bamne

.. **Petitioner**

Versus

The State of Maharashtra and others

.. **Respondents**

Shri Vijay A. Dhakne, Advocate for the Petitioner.

Shri G. O. Wattamwar, A.G.P. for Respondent Nos. 1 to 4.

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

DATE : **9th January, 2018**

PER COURT :

1. Heard the learned advocate for the petitioner and the learned A.G.P.
2. The petitioner is the member of the non teaching staff in Group – D category. He claims the benefit of A.C.P.S.
3. Mr. Dhakne, the learned counsel for petitioner and Mr. Wattamwar, the learned A.G.P. submits that, the parties would be governed by the decision of the Division Bench of this court at Principal Seat at Bombay in Writ Petition No. 2358 of 2013 with

other connected writ petitions decided vide judgment dated September 21, 2013.

4. In the light of that, we also adopt the same recourse and pass the following order.

ORDER

A. 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.

B. The appropriate Authority appointed by the State Government shall examine the individual case of the petitioner for deciding whether he 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.

C. We make it clear that the petitioner will be entitled to the benefit of the said scheme provided he satisfy the eligibility criteria which is prescribed for the corresponding non-teaching staff of the private aided Schools.

D. We grant time of six months to the respondents

to scrutinize the case of the petitioner and to consider whether he is eligible for the benefit of ACPS.

E. If the petitioner is found eligible, the benefit shall be extended, as expeditiously as possible.

F. The writ petition accordingly disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

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