

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION St. NO. 21070 OF 2018**

Shri Dattatraya Shamrao Jadhav & Ors

..Petitioners

Vs.

The State of Maharashtra & Ors

..Respondents

**WITH
WRIT PETITION St. NO.21079 of 2018**

Shri Ashok Nivruthi Khade & Ors

..Petitioners

Vs.

The State of Maharashtra & Anr

..Respondents

Mr. C. G. Patil for the Petitioners in both the Petitions

Mrs. R. M. Shinde AGP for the Respondent State

**CORAM :R. M. SAVANT, &
NITIN W. SAMBRE, JJ
DATE : 26th OCTOBER, 2018**

P.C.

1 At the outset the Learned Counsel for the Petitioner assures that the deficit court fees would be paid within one week from date. Statement accepted.

2 Rule having regard to the nature of the reliefs sought made

returnable forthwith and heard.

3 By the above Petitions the Petitioners are seeking the benefits of the Assured Career Progression Scheme (for short ACPS) as per the policy of the State Government. The Petitioners in the above Petitions have been partly given the benefits of the ACPS and are now seeking the second benefit of the scheme after 24 years.

4 The Learned Counsel for the Petitioners seeks to place reliance on the order passed by this Bench dated 4-10-2018 in Writ Petition No.334 of 2018 in the matter of Shri Suresh Bhanudas Shinde & Anr. Vs. The State of Maharashtra through Principal Secretary & Ors. and companion Writ Petitions. The Petitioners in the said Writ Petition were also similarly situated as the Petitioners in the instant Petition. In the said group of Petitions this court after referring to the orders passed in Writ Petition No.922 of 2014 and Writ Petition No.924 of 2014, deemed it appropriate to allow the said Petitions and direct the State Government to extend the second benefit available after 24 years of service. Since the fact situation in the above Petitions is identical to the fact situation in the said group of Petitions, we proposed to follow the same course of action as was followed by the order dated 4-10-2018. We accordingly direct the Respondents to grant the second benefit of the ACPS after 24 years to the Petitioners if they are otherwise entitled to the same. The

same to be done within 8 weeks from date. The above Petitions are allowed to the aforesaid extent. Rule is accordingly made absolute with parties to bear their respective costs of the Petition.

5 To be put up for compliance as regards court fees on 26-11-2018,

[NITIN W. SAMBRE, J]

[R.M.SAVANT, J]