

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 6700 OF 2019

Dinesh Jibhau Malche and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

**WITH
WRIT PETITION NO. 6721 OF 2019**

Sunil Bapurao Kendre .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri A. D. Pawar, Advocate for Petitioners in both matters.

Shri P. S. Patil, Addl. G. P. for Respondents in W.P. No.
6700/2019

Shri S. D. Ghayal, A.G.P. for Respondents in W.P. no. 6721/2019

**CORAM : S. V. GANGAPURWALA AND
MANGESH S. PATIL, JJ.**

DATE : 11TH JUNE, 2019.

FINAL ORDER :

. Heard.

2. The learned Assistant Government Pleader accept s notice
for respondents in both 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, affirms 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.

[MANGESH S. PATIL, J.]

[S. V. GANGAPURWALA, J.]

bsb/June 19