

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
36 WRIT PETITION NO.1666 OF 2018**

RAMKOR SHANKARRAO MALI AND OTHERS ..PETITIONERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...
Mr. Kailas B. Jadhav, Advocate for the Petitioners.
Mr. S. K. Tambe, AGP for Respondents-State.

...
**CORAM : S. V. GANGAPURWALA &
A. M. DHAVAL, JJ.**
DATED : 10th JANUARY, 2019.

PER COURT:-

1. The petitioners are the employees of the ashram schools run under the Social Welfare Department. They belong to Group 'C' and 'D' and claim Assured Career Progress Scheme benefit.

2. The issue is no longer *res integra* in view of the various judgment of this Court.

3. In light of the above, we pass the 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 members 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' member 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 petitioner 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) Writ Petition is disposed of on above terms. No costs.

(A. M. DHAVALÉ)
JUDGE

(S. V. GANGAPURWALA)
JUDGE