

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

WRIT PETITION NO. 12801 OF 2018

Shakuntalabai Anandrao Taywade .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Vijay A. Dhakne, Advocate for the Petitioner.

Shri S. M. Ganachari, A.G.P. for Respondent Nos. 1 to 5.

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

DATE : 22ND FEBRUARY, 2019.

FINAL ORDER :

. The petitioner claims to be working as a Group - D employee on a tribal ashram school. She seeks ACPS benefit.

2. The issue is no longer *res-integra* in view of various orders passed by this Court, such as in Writ Petition No. 2358 of 2013 with other connected writ petitions under order dated September 21, 2013.

3. Hence, we dispose of the petition, by passing 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 Government Resolution dated 30 th 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 case of the petitioner for deciding whether she satisfies 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 petitioner will be entitled to the benefit of the said scheme, provided she satisfies 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 case of the petitioner and to consider whether she is eligible for the benefit of

ACPS;

- (v) If the petitioner is found eligible, the benefit shall be extended, as expeditiously as possible;
- (vi) Writ Petition is disposed of on above terms.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

bsb / Feb. 19