

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

WRIT PETITION NO. 13418 OF 2019

Kailas Gulabrao Saindane and Another

.. Petitioners

Versus

The State of Maharashtra and Others

.. Respondents

Mr. Ajay D. Pawar, Advocate for Petitioners.

Mrs. P. V. Diggikar, AGP for Respondents-State.

**CORAM : S. V. GANGAPURWALA &
AVINASH G. GHAROTE, JJ.**

DATED : 06th NOVEMBER, 2019.

PER COURT:-

1. The learned counsel for petitioners and the learned Assistant Government Pleader are *ad idem* that petitioners are similarly situated as petitioners in Writ Petition No. 1071 of 2017 with other connected writ petitions decided on 14.02.2017.

2. In the light of the above, we follow the same course.

(i) The impugned order is quashed and set aside.

(ii) 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;

(iii) 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;

(iv) 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;

(v) 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;

(vi) To those petitioners who are found eligible, the benefit

shall be extended, as expeditiously as possible;

3. The writ petition is disposed of. No costs.

(AVINASH G. GHAROTE)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

P.S.B.