

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

WRIT PETITION NO. 75 OF 2020

**MAHARU YASHWANT BORSE
VERSUS
THE STATE OF MAHARASHTRA,
THROUGH SECRETARY AND OTHERS**

...

Advocate for Petitioner : Mr. Pawar Ajay D.
AGP for Respondents / State : Mr. A. R. Kale

...

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

DATE: 06th JANUARY, 2020

PER COURT:

1. The petitioner is the member of the non teaching staff of the ashram school under the Tribal Development Department. He is claiming the first ACPS benefit.

2. The said issue is no longer *res integra* in view of the catena of the orders passed by this Court in Writ Petition No. 4202 of 2012 dated 21.01.2014 and other writ petitions.

3. In light of that, we follow the same course.

4. The respondents in this petition are directed to examine the case of the petitioner for deciding whether he satisfies the criteria laid down for claiming benefits of the first ACPS to the private aided Government schools under the Government Resolution dated 30.04.1998, as modified from time to time, and if it is found that the petitioner is entitled to claim benefits under the Scheme, and he satisfies the eligibility criteria, the respondents shall extend the benefits to the petitioner herein. The respondents shall scrutinize the case of the petitioner within a period of six months, and extend the benefits to the petitioner if found eligible, as expeditiously as possible, and preferably, within a period of four months from such scrutiny.

5. Writ Petition is accordingly disposed of. No costs.

[MANGESH S. PATIL, J.] [S. V. GANGAPURWALA, J.]

marathe