

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

928 WRIT PETITION NO.9006 OF 2021

MADHUKAR BABURAO RATHOD AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioners : Mr. V. P. Golewar.

AGP for Respondent/State: Mr. S. K. Tambe
...

CORAM : S. V. GANGAPURWALA &
R. N. LADDHA, JJ.

DATE : 18th August, 2021.

P.C.:

1. Heard.
2. The learned A.G.P. accepts notice for respondents.
3. Mr. Golewar, learned counsel submits that the issue in the present petition is covered by the order of this Court in various Writ Petitioners such as W. P. No. 446/2015 decided on 15.06.2015. The learned A.G.P. on going through the said order and the present petition, affirms that the petitioners are similarly situated.
4. In the 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 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' members 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 petition is disposed of on above terms. No costs.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]

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