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

994 WRIT PETITION NO.8912 OF 2021

RAMDHAN THAWRA RATHOD .. Petitioner
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS ..Respondents

...
Mr C.T. Jadhav, Advocate h/f. Mr Ajay D. Pawar,
Advocate for Petitioner
Mr S.B. Pulkundwar, AGP for the respondents-State

...

AND

995 WRIT PETITION NO.8913 OF 2021

BABAN PURAJI RATHOD AND ANOTHER .. Petitioners
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS ..Respondents

...
Mr C.T. Jadhav, Advocate h/f. Mr Ajay D. Pawar,
Advocate for Petitioners
Mr S.K. Tambe, AGP for the respondents-State

...

996 WRIT PETITION NO.8914 OF 2021

SULOCHANA NARAYAN RATHOD .. Petitioner
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS ..Respondents

...
Mr C.T. Jadhav, Advocate h/f. Mr Ajay D. Pawar,
Advocate for Petitioner
Mr A.R. Kale, AGP for the respondents-State

...

997 WRIT PETITION NO.8915 OF 2021

VIVEK LAXMAN PATIL .. Petitioner
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS ..Respondents

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Mr C.T. Jadhav, Advocate h/f. Mr Ajay D. Pawar,
Advocate for Petitioner

Mr S.G. Karlekar, AGP for the respondents-State

...

998 WRIT PETITION NO.8916 OF 2021

SANDIP LAHU SALUNKE AND OTHERS .. Petitioners

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..Respondents

...

Mr C.T. Jadhav, Advocate h/f. Mr Ajay D. Pawar,
Advocate for Petitioners

Mr K.N. Lokhande, AGP for the respondents-State

...

999 WRIT PETITION NO.8917 OF 2021

SHAIKH MAINODDIN CHOTUMIYA AND ANOTHER .. Petitioners

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..Respondents

...

Mr C.T. Jadhav, Advocate h/f. Mr Ajay D. Pawar,
Advocate for Petitioners

Mrs V.N. Patil - Jadhav, AGP for the respondents-State

...

1000 WRIT PETITION NO.8918 OF 2021

SUBHASH SHESHERAO BIRADAR & OTHERS .. Petitioners

VERSUS

THE STATE OF MAHARASHTRA
TROUGH SECRETARY AND OTHERS ..Respondents

...

Mr C.T. Jadhav, Advocate h/f. Mr Ajay D. Pawar,
Advocate for Petitioners

Mr S.P. Tiwari, AGP for the respondents-State

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

DATE : 13-08-2021

PER COURT : -

1. Heard the learned Counsel for the petitioners and the respective learned AGPs.

2. The grievance of the petitioners is that the benefit of time bound promotion, higher pay scale of ACPS is not given to the non-teaching staff (Class III, Class IV) of Ashram Schools run by the Tribal Development Department and Social Welfare Department.

3. The issue is no longer *res-integra*, in view of the catena of judgments of this Court, reference can be had to the judgment of this Court in Writ Petition No.4202 of 2012 with connected matters decided on 21.01.2014 and Writ Petition No.5191 of 2018 with connected Writ Petition dated 06.06.2018 we follow same course.

“4. In 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 Govt. 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 Govt. shall examine the individual cases of the petitioners for deciding whether they satisfy the criteria laid down for availability of the benefit of ACPS to the private aided Govt. schools under the Govt. Resolution dated 30th April, 1998 as modified from time to time;

(III) We make it clear that the petitioners 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 Petitions are disposed of. No costs.”

4. Writ Petitions accordingly disposed of. No costs.

[R.N. LADDHA]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

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