

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

WRIT PETITION NO. 2030 OF 2021

Bhausahab Ramrao Devakatte and others

.. Petitioners

Versus

The State of Maharashtra and others

.. Respondents

Mr. K. S. Patil, Advocate for the Petitioners.

Mr. K. N. Lokhande, AGP for Respondents-State.

**CORAM : S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.**

DATED : 03rd February, 2021.

PER COURT:-

- . The petitioners claim to be class III and class IV members of non teaching staff working with Ashram School and seek A.C.P.S. benefit.
2. The learned A.G.P accepts notice for all respondents.
3. The issue is no longer res-intergra. The said issue is decided by catena of judgments such as judgment dated 21.09.2013 in Writ Petition No. 2358 of 2013 with connected writ petitions.
4. In view of that, we follow the same course.

“21. Hence, we dispose of the petitions, 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 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 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 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 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) Petitions are disposed of on above terms.”

5. In view of the above, writ petition accordingly is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

PS.B.