

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

938 WRIT PETITION NO.11455 OF 2021

SANGITA GOBARU RATHOD
VERSUS
THE STATE OF MAHARASHTRA
THROUGH SECRETARY AND OTHERS

...

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

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

DATE: 13th OCTOBER, 2021

PER COURT:

1. The learned Advocate for petitioner and the learned A.G.P. are *ad idem* that the petitioner is 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 above, we follow the same course-

ORDER

(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 30.04.1998 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 case of the petitioner for deciding whether she satisfy the criteria laid down for availability of the benefit of ACPS to the private aided Government Schools under the Government Resolution dated 30.04.1998 as modified from time to time.

(IV) We make it clear that the petitioner will be entitled to the benefit of the said scheme, provided she satisfy the eligibility criteria which is prescribed for the

corresponding non-teaching staff of the private aided Schools;

(V) We grant time of six (06) months to the respondents to scrutinize the case of the petitioner and to consider whether she is eligible for the benefit of ACPS;

(VI) If the petitioner is found eligible, the benefit shall be extended, as expeditiously as possible.

3. Writ Petition accordingly stands disposed of.
No costs.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]

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