

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

913 WRIT PETITION NO.2051 OF 2019
SHASHIKALA MAROTI CHAVAN
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Dhanaji S. Kudle

...
**CORAM : SUNIL P. DESHMUKH AND
ABHAY AHUJA, JJ**
DATED : 09TH MARCH, 2021

PER COURT :

1. Heard learned counsel for the parties.
2. There is no dispute on that the petitioner in Writ Petition no.5047 of 2014 happens to be a member of Maharashtra State Ashram Shala Vastigruha, Aurangabad and other Karmachari Sangh. Learned Advocate for the petitioner points out an order dated 2nd September, 2014 passed in aforesaid Writ Petition, wherein, it has been observed to effect that the members of the union are the personnel from non-teaching staff and benefit of Government Resolution dated 30-04-1998 is available to the petitioners. It has further been referred to that the members of the union are covered by the judgment of this Court dated 21st September 2013 in Writ Petition No.2358 of 2013 and connected writ petitions passed by Principal Seat of this Court.

3. In the light of above, the issue does not appear to be any longer res-integra.

4. As such, we deem it expedient that the same course as had been adopted in the order dated 21st September, 2013 (*supra*) followed and applied to petitioner's case.

5. We make it clear that the petitioner will be entitled to the benefit of the said scheme provided she satisfies the eligibility criteria which is prescribed for the corresponding non-teaching staff of the private aided Schools;

6. We grant time of six months to the respondents to scrutinize the cases of the petitioner and to consider whether she is eligible for the benefit of ACPS;

7. Petition is disposed of on above terms.

[ABHAY AHUJA, J.]

[SUNIL P. DESHMUKH, J.]

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