

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 14366 OF 2021

DEEPAK SOPANRAO DHAWALE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL SECRETARY
AND OTHERS

...
Advocate for Petitioner : Mr. V. C. Patil (Ashtekar)
AGP for Respondents-State : Mr. A. R. Kale

...
CORAM : S. V. GANGAPURWALA AND
S. G. DIGE, JJ.
DATE : 20th DECEMBER, 2021

PER COURT :-

1. Heard.
2. The learned A.G.P accepts notice for the respondents.
3. Mr. V.C. Patil, learned Advocate for the petitioner submits that the issue in the present petition is covered by the order of this Court in various writ petitions such a Writ Petition No. 446 of 2015 decided on 15-06-2015. The learned A.G.P on going through the said order and the present petition, affirms that the petitioner is similarly situated.
4. In light of the above, we pass the following order-

ORDER

(I) We declare that the benefit of ACPS, which is applicable to the employees of Group C and Group 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;

(II) The appropriate authority appointed by the State Government shall examine the individual case of the petitioner for deciding whether he 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;

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(III) We make it clear that the petitioner 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 (06) months to the respondents to scrutinize the case of the petitioner and to consider whether he is eligible for the benefit of ACPS.

(V) To the petitioner who is found eligible, the benefit shall be extended, as expeditiously as possible;

5. In the light of that, writ petition is disposed of. No costs.

(S.G. DIGE)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

mtk