

Digitally
signed by
BASAVRAJ
GURAPPA
PATIL
Date:
2022.06.30
14:36:27
+0530

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.2200 OF 2022

Ranjay Baburao Kale & Ors.

..... Petitioners

Vs.

State of Maharashtra & Ors.

..... Respondents

Mr. Sudhir I. Mandone h/f. Ms. Priti Bhavsar for the Petitioner
Ms. S. S. Bhende, AGP for the State

**CORAM: S.V. GANGAPURWALA &
S. M. MODAK, JJ.**

DATED : JUNE 24, 2022

P.C.

1 The Petitioners claim to be non teaching staff / Class - III/IV employee of Ashram School. The Petitioners seek time bound promotional pay scale. The issue is no longer *res integra* in view of the judgment of this Court wherein it has been held that the benefit shall be available to the non teaching staff of the Ashram Schools. Reference can be made to the order dated 21st September 2013 in Writ Petition No.2358 of 2013 with connected Writ Petitions. The Court therein had passed the following order. Paragraph No.21 reads thus:

"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 30 th 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 30 th 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.”

2 The present Writ Petition also stands disposed of in terms of the aforesaid order. No costs.

3 So far as the prayer for revision of pay-scale is concerned, the Petitioner may make a representation to the concerned Authority. The Authority may take decision on its own merits, expeditiously.

(S. M. MODAK,J.)

(S.V. GANGAPURWALA, J.)