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

WRIT PETITION (ST) NO.416 OF 2017

Sunilkumar Tukaram Ambi & Ors. Petitioners
Vs.
State of Maharashtra & Ors. Respondents

WRIT PETITION NO.10013 OF 2017

Mirabai Pralhad Avare & 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 employees of Ashram Schools. 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 Petitions also stand disposed of in terms of the aforesaid order.

(S. M. MODAK,J.)

(S.V. GANGAPURWALA, J.)