

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

WRIT PETITION NO. 10986 OF 2022

Ramesh Narayan Chananse (deceased)
Through LRs-

1. Chhaya w/o Ramesh Chandanse

...Petitioner

Versus

The State of Maharashtra & Anr.

...Respondents

.....

Mr. Suvidh S. Kulkarni – Advocate for the petitioner

Mr. S. K. Tambe – AGP for respondent/State

Mr. U. B. Bondar – Advocate for respondent no. 2

.....

CORAM : RAVINDRA V. GHUGE

AND

SANJAY A. DESHMUKH, JJ.

DATED : 18th APRIL 2023

PER COURT : -

1. We have heard the brief submissions of the learned counsels of the respective sides. Since the learned advocate Mr. U. B. Bondar is on the panel of Zilla Parishad, Aurangabad, we requested him to cause an appearance.

2. The petitioner has claimed the benefits of Assured Career Progression Scheme (in short "ACPS"), which is available after 12 years and followed by a second benefit after another 12 years. There is no dispute that the petition claiming the 2nd benefit under ACPS is subjudice before the Principal Seat of this Court and the order, earlier granting the 2nd benefit, has been stayed in

Review Petition (St.) No. 3452 of 2019 and connected matters, vide order dated 10th February, 2021.

3. In view of the above, this petition is **disposed off** with a direction to respondent no. 2 to consider the claim of the petitioner for ACPS benefits after completion of 12 years. Needless to state, the relevant record shall be carefully scrutinized and after the claim of the petitioner (now deceased), is verified, the competent authority would issue appropriate orders for granting monetary benefits to him. It be noted that the original employee has now passed away and his legal heir (widow) is on record. Let the exercise of verification be concluded within 60 days and if the deceased is found to be eligible, let the payments be made to the widow of the deceased within 30 days thereafter.

4. Insofar as the 2nd benefit of ACPS is concerned, the petitioner would be at liberty to raise a grievance after the Principal Seat of this Court, decides the pending review proceeding.

[SANJAY A. DESHMUKH]
JUDGE

[RAVINDRA V. GHUGE]
JUDGE