

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

46 WRIT PETITION NO.12075 OF 2023

AJAY BALIRAM RATHOD
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS

...
Advocate for Petitioner : Mr. Vijaykumar C Patil (Ashtekar)
AGP for Respondents/State : Mr. V.M. Kagne
...

**CORAM : RAVINDRA V. GHUGE &
Y.G. KHOBRADE, JJ.
DATE : 3rd October, 2023**

PC. :-

1. The Petitioner has put-forth prayer clause-B and C as under:

“B) Issue writ of Mandamus or order or directions in the like nature, thereby kindly direct the Respondents authorities to grant the benefits of Assured Career Progress Scheme/Time Bound Promotion in favour of the petitioner immediately after completing 12 years qualifying service from the date of initial appointment and grant all the consequential benefits that might have accrued to him.

C) Issue Writ of Mandamus or order or directions in the like nature thereby directing to the Respondent No.6 since the petitioner has completed the 12 years service and he is entitled to get the benefits of ACPS scheme/time bound promotion and therefore the petitioner proposal may kindly be submitted to the authority for getting the benefits of ACPS scheme within stipulated time.”

2. In various matters, this Court has partly allowed the petitions by issuing certain directions to the Competent Authority to carry out a verification exercise and scrutinize individual cases for grant of ACPS.

3. It is also concluded that the benefit of ACPS is applicable to the employees falling in the Group-C and D non-teaching staff of the private aided Ashram School, in view of the GR dated 30.04.1998 and which has been modified from time to time.

4. In view of the above, **this petition is disposed off** with the following directions:

a) The Competent Authority, appointed by the State Government to examine such cases, shall verify in order to be satisfied that the criteria laid down while granting ACPS benefits, has been fulfilled.

b) If the Petitioner is found to be eligible on account of satisfying the eligibility criteria, he shall be held eligible for the benefit extended under the GR dated 30.04.1998 and subsequently issued resolutions.

5. We grant six months time to the said authority to scrutinize the case of the Petitioner for verifying his eligibility for earning the benefit of ACPS and payment thereof.

[Y.G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]