

Pdp

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

WRIT PETITION NO. 13768 OF 2022

**Kalpana D/o Gaba Tayade
@ Kalpana w/o Balkrishna
Sapkale**

.. Petitioner

Versus

The State of Maharashtra & Ors.

.. Respondents

Ms. Anita Gavkar i/by Mr. Sushant C. Yeramwar for petitioner.
Mrs. R. A. Salunkhe, AGP for State.

**CORAM: S. V. GANGAPURWALA, ACTING CJ. &
SANDEEP V. MARNE, J.**

DATE: APRIL 18, 2023

P.C.:

- 1.** The petitioner is denied Assured Career Progression Scheme (ACPS) benefits on the ground that validation proceeding in respect of her caste claim is pending.
- 2.** The learned advocate for the petitioner submits that the petitioner is selected and appointed from Project Affected Person (PAP) category and has not taken the benefits of reservation of the Scheduled Tribe.
- 3.** On March 9, 2023, we had asked the learned AGP to take instructions whether the petitioner is appointed from Scheduled Tribe category or otherwise.
- 4.** Today, learned AGP, on instructions and upon perusal of the service book of the petitioner, states that the petitioner is appointed from PAP category and not on the basis of social reservation.

5. In the light of the fact that the petitioner is appointed from PAP category, the reason mentioned for denying the benefits of ACPS would not be appropriate.
6. In light of that impugned order is quashed and set aside. The respondents shall consider the case of the petitioner for ACPS benefits in accordance with law.
7. The writ petition is disposed of. No costs.

(SANDEEP V. MARNE, J.) (ACTING CHIEF JUSTICE)