



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2209 OF 2024

PRAVINKUMAR SHIVAJI CHAVAN

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS

Mr. V. A. Dhakne, Advocate for petitioner

Mr. R. S. Wani, AGP for respondent/State

CORAM : RAVINDRA V. GHUGE AND

R. M. JOSHI, JJ.

DATE : 27th FEBRUARY, 2024

PER COURT :-

1. The learned AGP waives service of notice on behalf of Respondent Nos.1 to 4.

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

"B) To direct the respondents to grant the Senior/higher pay scale to the petitioner under the Assured Career Progress Scheme on account of completion of 12 years of his service with effect from 06.11.2018 with all other consequential benefits, by issuing a writ of mandamus or any other appropriate writ, order or direction as the case may be.

C) To direct the respondents No.3 and 4 to scrutinize and consider the proposal of the petitioner for extending the senior/higher pay scale benefits under the Assured Career Progress Scheme in the light of the Judgments passed by the Division Bench of this Hon'ble Court in writ petition no. 2358/2013 with other connected matters and writ petition no. 14091/2023, pending hearing and final disposal of this petition."

3. 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.

4. 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 Government Resolution dated 30.04.1998 and which has been modified from time to time.

5. In view of the above, this **Writ Petition is disposed off** with the following directions:-

a) The Competent Authority, which is 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 Government Resolution dated 30.04.1998 and subsequently issued resolution.

6. 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.

(R. M. JOSHI, J.)

(RAVINDRA V. GHUGE, J.)

ssp