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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

915 WRIT PETITION NO. 7464 OF 2024

BALASAHEB BHAGWANRAO KARAD AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH IT'S SECRETARY AND
OTHERS

Mr.V.C.Patil (Ashtekar), Advocate for the Petitioners.
Mr.B.M.Dhanure, AGP for the Respondent Nos. 1 to 5/State.

(CORAM : RAVINDRA V. GHUGE AND
Y.G.KHOBRADE, JJ.)

DATE : JULY 24, 2024

PER COURT :

1. The learned AGP waives service of notice on behalf of
Respondent Nos.1 to 5.

2. The Petitioners have 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 petitioners 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 and 7 since the petitioners have completed the 12 years service and they are entitled to get the benefits of ACPS scheme/time bound promotion and therefore the petitioners proposal may kindly be submitted to the authority for getting the benefits of ACPS scheme within stipulated time.”

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 Schools, 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 Petitioners are found to be eligible on account of satisfying the eligibility criteria, they shall be held eligible for the benefits extended under the Government Resolution dated 30.04.1998 and subsequently issued resolutions.

6. We grant six months time to the said authority to scrutinize the case of the Petitioners for verifying their eligibility for earning the benefit of ACPS and payment thereof.

(Y.G.KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)