



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

917 WRIT PETITION NO. 9212 OF 2024

SAHEBRAO PRATAP RATHOD AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH
ITS SECRETARY AND OTHERS

...
Advocate for petitioners : Mr. M.K. Bhosale
AGP for the respondent – State : Mr. V.M. Jaware
...

**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 29 AUGUST 2024

PC :

The petitioners claim to be the employees of government aided private ashram shcool seeking benefit of the assured career progression scheme as per the government resolution dated 30-04-1998.

2. In the light of decision in the matter of **Kiran Namdeo Shinde and others Vs. State of Maharashtra and others** (writ petition no. 2358 of 2013 and connected writ petitions decided at the Principal Seat on 21-09-2013) and are soliciting a direction similar to the ones issued in the matter of **Yuvraj Bhavsing Jadhav and others Vs. State of Maharashtra and others** (writ petition no. 13486 of 2018 dated 28-01-2019).

3. The parties are unanimous and even the learned AGP concedes that a direction similar to the one issued in ***Yuvraj Bhavsingh Jadhav*** (supra) could be issued even in this matter.

4. Hence, we pass the following order :

- i) We declare that the benefit of ACPS, which is applicable to the employees of Group 'C' and 'D' non-teaching staff of the aided Private Schools in the State under the Government Resolution dated 30 April 1998 as modified from time to time shall be available to the non-teaching staff of the same category in the private aided Ashram Schools;
- ii) The appropriate Authority appointed by the State Government shall examine the individual cases of the members of the petitioners for deciding whether they satisfy the criteria laid down for availability of the benefit of ACPS to the private aided Government Schools under the Government Resolution dated 30 April 1998 as modified from time to time;
- iii) We make it clear that the petitioners' member will be entitled to the benefit of the said scheme, provided they satisfy the eligibility criteria which is prescribed for the corresponding non-teaching staff of the private aided Schools;
- iv) We grant time of six months to the respondents to scrutinize the cases of the members of the petitioner and to consider whether they are eligible for the benefit of ACPS.

5. Writ petition is disposed of.

[SHAILESH P. BRAHME]
JUDGE

[MANGESH S. PATIL]
JUDGE

arp/