



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Writ Petition No.1614/2024

1. Dashrath Shamrao Ranmale,
Aged about 49 years, Occu. Service as Kamathi,
c/o.Vasantrao Naik Primary Ashram School Fulumari,
Tah. Manora, District Washim.
2. Mahendra Yashwant Jadhav,
Aged about 40 years, Occu. Service as Kamathi,
C/o.Vishwabharti Madhyamik Ashram School, Medshi,
Tah. Malegaon, District Washim.
3. Ku. Renuka Tulshiram Jadhav,
Aged about 57 years, Occu. Service as Helper,
C/o. Pratapsingh Naik Primary V.J.N.T. Ashram,
School Jogaldari, Tah. Mangrulpir, District Washim. Petitioners.

Versus

1. The State of Maharashtra,
through its Secretary, Social Justice and
Special Assistance Department,
Mantralaya, Mumbai- 32.
2. The Regional Deputy Commissioner,
Social Welfare Officer, Amravati Division, Amravati.
3. The Assistant Commissioner,
Social Justice and Special Assistance Department,
Washim, Distt. Washim. Respondents.

Mr. R.N. Ghuge Advocate for the petitioners.
Mr. S.M. Ukey, Addl.GP for the respondent nos.1 to 3.

CORAM : Nitin W. Sambre &
Abhay J. Mantri, JJ

Date : 01-04-2024.

J u d g m e n t (Per Abhay J Mantri, J.)

Rule. Rule made returnable forthwith. Heard finally with the consent of learned Counsel for the parties.

2. The petitioners were working on the post of '*Kamathi*' and '*Helper*' in three different Ashram schools as mentioned in the petition. It is claimed that they are Class 'C' and 'D' employees working in aided private Ashram Schools under the supervision and control of the respondents. As such, the petitioners have filed this petition seeking the benefit under Government Resolution dated 30-04-1998 as modified from time to time.

3. Learned Advocate for the petitioners submitted that the issues raised in this petition are covered by the judgments of this Court passed in Writ Petition No. 2358/2013 (*Kiran Namdeo Shinde and Ors vs the State of Maharashtra and others*) with connected matters, decided on 21-09-2013, and in Writ Petition Nos. 178/2014 with 1350/2014 and W.P. No. 3122/2022.

4. When controverted to learned Additional Government Pleader, he has not disputed the settled position of law laid down by this Court in the various petitions. *Moreover*, it is not in dispute that the facts in this petition are similar to the facts in aforesaid writ petitions. In view of the above-stated facts and the fact that the issues raised in the present petition are covered by the aforementioned judgments, we deem it appropriate to pass the following order.

- i. Writ Petition is allowed.
 - ii. It is declared that the petitioners are entitled to get the benefits of the Assured Career Progress Scheme (ACPs), which applies to the employees of the Group-'C' and 'D' non-teaching staff of the aided private Ashram Schools in the state under the Government Resolution dated 30-04-1998 as modified from time to time.
 - iii. The respondents are directed to examine the case of each of the petitioners individually to decide whether they satisfy the criteria laid down for claiming the benefits under the ACPs to the aided private Ashram Schools under the Government Resolution dated 30-04-1998 as modified from time to time.
 - iv. We make it clear that the petitioners will be entitled to the benefit of the said Scheme, provided that they satisfy the eligibility criteria prescribed under the scheme.
 - v. The respondents shall scrutinize the cases of the petitioners individually within a period of six months and extend the benefits to such of the petitioners, who are found eligible, as expeditiously as possible and preferably within a period of four months from such scrutiny.
5. Rule is made absolute in the above terms. No costs.

(Abhay J. Mantri, J.)

(Nitin W. Sambre, J)