

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.16277 OF 2024**

NIKITA
KAILAS
DARADE
ADVOCATE
SPECIAL COURT
FOR THE
JUDICIAL OFFICE

Mahadev Harischandra Chavan and Ors.Petitioners

versus

The Assistant Commissioner Social
Welfare Office and Ors.

....Respondents

Mr. Umesh C. Kurund for the Petitioner.

Mr. K. S. Thorat, 'B' Panel Advocate for the State.

**CORAM : RAVINDRA V. GHUGE
&
ASHWIN D. BHOBE, JJ.**

DATE : 7th MARCH, 2025

P.C. :-

1. The Petitioners have put forth prayer clauses (b) and (c)
as under:-

“b) The Hon’ble Court be pleased to issue writ of Mandamus and/or any other writ, order, direction in the nature of mandamus, directing the Respondent Authorities to make available the benefits of ACPS scheme as provided by the judgment order dated 21.9.2013 passed in Writ Petition No. 2358 of 2013 and others;

c) This Hon’ble court be pleased to issue Writ of mandamus and/or any other writ, order, direction in the nature of mandamus, directing the Respondent Authorities to grant higher and promotional pay scale to the Petitioners on the

basis of completion of 12 years services alongwith interest within a period of four weeks from the date of passing of order;”

2. The issue raised by the Petitioners is covered by the judgment of this Court dated 21.09.2013, delivered in WP. 2358 of 2013 and group of matters (Kiran Namdeo Shinde and Ors. State of Maharashtra and Ors.)

3. In view of the above, **this Writ Petition is disposed off.** The petition would be treated as a representation by the Petitioners addressed to Respondent No.1. The said Authority would carry out a scrutiny of the claims of the Petitioners on their own merits in the light of the law laid down in Kiran Namdeo Shinde (supra) and a decision would be arrived at within a period of 60 days from today.

4. We expect the decision to be a reasoned order. If any of the Petitioners is aggrieved by the said order, liberty to avail of a remedy as is permissible in law.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)