

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.198 OF 2024

Bhatu Shaligram Patil & Anr.

.. Petitioners

Vs.

Anshu Sinha Secretary & Ors.

.. Respondents

Mr. S.I. Nandode h/f Ms. Priti Bhavsar, for the Petitioners.

CORAM : SHREE CHANDRASHEKHAR &
MANJUSHA DESHPANDE, JJ.

DATE : 5th AUGUST 2025

PC. :

By an order dated 24th June 2022, Writ Petition (Stamp) No.416 of 2017 with Writ Petition No.10013 of 2017 came to be disposed of in terms of an order passed in Writ Petition No.2358 of 2013.

2. On 21st September 2013, Writ Petition No.2358 of 2013 was disposed of in the following terms :

“(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 th 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 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 th April, 1998 as modified from time to time;

(iii) We make it clear that the petitioners 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 petitioners and to consider whether they are eligible for the benefit of ACPS;

(v) To those petitioners who are found eligible, the benefit shall be extended, as expeditiously as possible;

(vi) Petitions are disposed of on above terms.”

3. In view of the order passed in the previous writ proceeding, we are not inclined to issue show cause notice to the proposed contemnors and would dispose of the present contempt petition by issuing a direction to the Divisional Deputy Director-the respondent no.3 to comply with the writ Court's order by deciding the claim of the petitioners seeking benefits under ACPS.

4. However, we would indicate that in the event of failure on the part of the respondent no.3 in deciding the claim of the petitioners for grant of ACPS, coercive order may be passed against him.

5. Contempt Petition No.198 of 2024 is disposed of with the aforesaid direction to the respondent no.3.

[MANJUSHA DESHPANDE, J.]

[SHREE CHANDRASHEKHAR, J.]