



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

WRIT PETITION NO. 6018 OF 2022

1. Vilas Kisan Pawar
Aged 40 years, Occupation : Hostel
Superintendent, R/o. C/o. N.T. and V.J.A.
Ashram Shaala Kanholibara, Tal. Hingna,
Dist. Nagpur.
2. Pramod Tulshiram Waghmare
Aged 44 years, Occupation : Hostel
Superintendent, R/o. C/o. Ahilyadevi Holkar
Pratham Ashramshaala Sheshnagar,
Tal. Hingna, Dist. Nagpur
3. Dadarao Bapurao Dhokane
Age 42 years, Occupation : Hostel
Superintendent, R/o. C/o. Vasantrao Naik
Mahyamic Ashramshaala, Tal. Hingna,
Dist. Nagpur.
4. Kiran Bhagwatrao Ganjare
Aged 40 years, Occupation : Hostel
Superintendent, R/o. C/o. Shri Sant Satyadev
Baba Pratham N.T. and VJA Ashram Shaala
Bharwadi, Tal. Tiwasa, Dist. Amravati.

... Petitioners

Versus

1. The State of Maharashtra,
Through its Secretary Other Backward,
Bahujan Welfare Department, Mumbai 32
2. The Divisional Commissioner,
Other Backward, Bahujan Welfare Department,
Nagpur.
3. The Assistant Commissioner,
Other Backward, Bahujan Welfare Department,
Nagpur.
4. The Assistant Commissioner,
Other Backward, Bahujan Welfare Department,
Amravati.

... Respondents

Mr. P.S. Kshirsagar, Advocate for petitioners
Mr. A.M. Kadukar, AGP for respondent Nos.1 to 4.

**CORAM : AVINASH G. GHAROTE AND
ABHAY J. MANTRI, JJ.**
DATE : 19.03.2025.

ORAL JUDGMENT: (PER: Abhay J. Mantri, J)

CIVIL APPLICATION NO. 2712 OF 2024

The learned Advocate for the petitioners/applicants submitted that the nomenclature of the respondents' department has been changed. Therefore, the petitioners want to amend the petition to which the learned AGP has not objected.

2. Considering the reasons stated in the application, the application is allowed as prayed for.

3. The petitioners are directed to carry out the amendment forthwith.

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1. Mr. Ukey, learned Additional GP waives notice for all respondents.

2. Heard. **Rule.** Rule is made returnable forthwith and heard finally with the consent of the learned counsel for both parties.

3. The petitioners seek to grant the first benefit of the ACP Scheme in favour of the petitioners and other consequential benefits in view of

the G.Rs. dated 02.03.2019 and 23.10.2017 and in view of the dictum laid down in judgment dated 21.09.2013 in W.P. No. 2358/2013.

4. The learned AGP has conceded the said position and submitted that the appropriate orders be passed.

5. It appears that the facts in the present matter are identical and similar to the facts in the above decision, and therefore, in our opinion, it would be proper to dispose of the petition in terms of the decision in the said case, i.e. by directing the respondents to examine the entitlement and eligibility of the petitioners to receive the first benefits of ACP Scheme in light of the Government Resolution dated 02.03.2019 and other Government Resolutions as applicable in that regard. The same shall be considered within a period of eight weeks from the receipt of a copy of this order. In case the petitioners are found to be entitled to receive such benefits, the same shall be released in their favour within four months of such a decision being taken.

6. Accordingly, the petition is disposed of, and the rule is made absolute in the above terms. No costs.

(Abhay J. Mantri, J.)

(Avinash G. Gharote, J.)

Prity