

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.303 OF 2024

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Sameer Ashok Salvi & Ors.

....Petitioners

Versus

The State of Maharashtra & Ors.

....Respondents

...

Mr. Saurabh Oka, Advocate, for the Petitioners.

Mr. P. P. Kakade, Addl. GP a/w. Mr. A. R. Deolekar, AGP, for the
Respondent-State.

...

CORAM : RAVINDRA V. GHUGE

&

ABHAY J. MANTRI, JJ.

DATE : 18th MARCH, 2026

P.C.:

1. Considering the issue brought before the Court by the
Petitioners, there is no dispute by the Respondents that the judgment
of this Court dated 21st September, 2013 delivered in Writ Petition
No.2358 of 2013 and group of cases (***Kiran Namdeo Shinde & Ors.***
vs. State of Maharashtra & Ors.), especially the directions issued
below paragraph 21, would be squarely applicable to these
Petitioners.

2. The learned Advocate for the Petitioners submits that the cases of these Petitioners may be scrutinized in the light of the said directions. The learned Additional Government Pleader is instructed to state that the exercise of scrutinizing the cases of these Petitioners could be completed within 30 days from today, instead of 6 months granted by this Court vide order dated 21st September, 2013.

3. For clarity, we are reproducing the directions of this Court in ***Kiran Namdeo Shinde & Ors.*** (supra) below paragraph 21 as under:

“(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 30th 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 30th 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.”

4. With regard to clause (iv) reproduced above, we record the statement of the State that the scrutiny would be completed within 30 days from today.

5. In view of the above, **this Petition is disposed off.**

(ABHAY J. MANTRI, J.)

(RAVINDRA V. GHUGE, J.)