

Court No. - 40

Case :- WRIT - C No. - 24774 of 2023

Petitioner :- Jai Maa Bhawani Gaushaala (Cowshed) Samiti

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Vijay Tripathi

Counsel for Respondent :- C.S.C.

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Prashant Kumar,J.

1. Heard learned counsel for the petitioner and Shri Ambrish Shukla, learned Addl. Chief Standing Counsel.

2. Present writ petition has been preferred for following reliefs:-

"(i) Issue a writ, order or direction in the nature of mandamus directing the respondent no.2/Gaushala (Cowshed) Registrar, Directorate of Animal Husbandry, Govt. of U.P. at Lucknow to issue grant for Jai Maa Bhawani Gaushaala (Cowshed) Samiti/ petitioner under the scheme of Government Order dated 15.12.2017 amended Government Order dated 17.8.2021.

(ii) Issue a writ, order or direction in the nature of mandamus directing the respondent no.2/Gaushaala (Cowshed) Registrar, Directorate of Animal Husbandry, Govt. of U.P. at Lucknow to decide the application of the petitioner dated 29.12.2022 in pursuance of the aforesaid government order."

3. The record in question reflects that the petitioner society is registered in the year 2005 and established for the purposes of welfare of animal (cow). The State Government had issued Government Orders dated 15.12.2017 and 17.8.2021 for providing grant for the purposes of maintenance of cows. The petitioner society had also applied for grant as per the aforesaid Government Orders in the year 2022. Eventually the claim of the petitioner was rejected by the District Level Committee vide order dated 5.6.2023, hence this writ petition.

4. On the other hand, learned Addl. Chief Standing Counsel has produced the detailed instructions dated 18.8.2023, which are taken on record. On the basis of instructions, he submits that the petitioner does not fulfill the criteria as required in the relevant Government Orders. After fact finding enquiry, the claim of the petitioner has been non-suited by the District Level Committee and as such no interference is required in the matter.

5. We have proceeded to examine the record in question and find that the claim of the petitioner has been non-suited after conducting fact finding enquiry. The petitioner has not been able to

substantiate his claim, which may warrant interference under Art.226 of the Constitution of India. As such we are not inclined to interfere in the matter. Needless to say, in case the petitioner applies for the fresh consideration in the next financial year, definitely his application would be processed as per law.

6. The writ petition stands **disposed of** accordingly.

Order Date :- 12.10.2023

SP/