

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

(1)

WP NO.6976/2015

**33 WRIT PETITION NO. 6976 OF 2015**

MAYA JAYWANT SHINDE  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. More Abhijit S.  
AGP for Respondent State: Mr. B.V.Virdhe  
Mr.Dama Prashant P., Advocate,for R/2 to 4

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CORAM : S.S. SHINDE & P.R. BORA, JJ.  
Dated: December 09, 2015

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PER COURT :-

1. Heard.
2. It is the submission of the Counsel appearing for the petitioner that the Government Resolution dated 13th August, 2014, issued by the Women and Child Development Department, Government of Maharashtra, is not applicable in case of the petitioner inasmuch as, the third child begotten was on 9th August, 2014, and the said Government Resolution was issued on 13th August, 2014. The said Government Resolution cannot be applied with retrospective effect, however, the Counsel for the petitioner fairly concedes that, the birth certificate was not produced before the respondent authorities in pursuance to the issuance of the notice to the petitioner by the respondent authorities.

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(2)

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3. Learned Counsel appearing for respondent nos. 2 to 4 submits that since no proof was produced before respondent Nos.2 to 4, respondent No.4 passed the impugned order.

4. In the light of the discussion in the foregoing paragraphs, we direct respondent nos. 2 to 4 to reconsider the case of the petitioner in the light of the original birth certificate which would be produced by the petitioner before the said authority, and take appropriate decision in accordance with law within two weeks from producing such original certificate.

The petition is disposed of in above terms.

Parties to act upon the authenticated copy of this order.

( P.R. BORA, J. )

( S.S. SHINDE, J. )

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