

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

PIL NO. 166 OF 2014

Adivasi Kalyan Va Sanvardhan Society
Maharashtra

.. Petitioner

VS

State of Maharashtra & Ors.

.. Respondents

Mr. Balwant V. Salunkhe i/b Mr. C.K. Bhagoji for the petitioner.
Mr. Shekhar Bhise, A.P.P. For the respondent – State.

**CORAM: MOHIT S. SHAH, C.J. &
G.S. KULKARNI, J.**

DATE : 19 MARCH 2015

P.C.:

One of the prayers in this PIL is for a direction to the State of Maharashtra in the Tribal Development Department to declare that villages in four talukas, i.e. Haveli Taluka, Purandar Taluka, Velhe Taluka and Bhore Taluka in Pune District have more than 40% Scheduled Tribe population as per Census, 2001 and, therefore, they come under the Tribal Sub Plan and, therefore, are entitled to the benefits of the policy framed by the Government of India by Office Memorandum dated 18 August 2009 read with corrigendum dated 26 October 2009 issued by the Planning Commission of Government of India as well as Notification dated 21 May 2010 issued by the Government of Maharashtra.

2. It is also contended that the representation dated 14 February 2014 made by the petitioner society on the above subject has not been decided by the Government of Maharashtra in the Tribal Development Department.

3. In view of the above, we are of the view that the interests of justice would be served if this petition is disposed of with a direction to the Government of Maharashtra in the Tribal Development Department to consider and take a decision on the petitioner society's representation dated 14 February 2014 on the above subject. The two representatives of the petitioner society may be given a personal hearing in case the Government is not inclined to accept the representation of the petitioner. Accordingly the final decision shall be taken within 3 months from the date of receipt of this order.

4. The petition is accordingly disposed of in the above terms.

CHIEF JUSTICE

(G.S. KULKARNI, J.)