

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1341 OF 2016

VISHNU KAILAS JADHAV
VERSUS
THE UNION OF INDIA AND OTHERS

...
Advocate for Petitioner : Mrs. S.C. Thombre (Jagtap)
h/f. Mr. C.V.Thombre,
AGP for respondent 3 and 7 :Mr. S.S. Dande.
Advocate for respondent Nos. 1 and 2 : Mrs. D.S. Ansingkar (Jape)
Advocate for respondent Nos. 4 to 6 : Mrs. S.D. Tambat Dhumal.

CORAM : S.V. GANGAPURWALA &
K.K. SONAWANE, JJ.

DATE : 20th April, 2016.

PER COURT:

1] Heard. Petitioner seeks writ of Mandamus that respondent Nos. 3 to 7 should accept the proposal sent by the petitioner and scrutinize the same, as done in the cases of other beneficiaries.

2] Learned counsel for the petitioner submits that as proposals were not accepted same were sent through posts. We would be entertaining the petition to the extent of the present petitioner.

3] Learned counsel for the respondent Nos. 4 to 6 submits that as far as proposal of the petitioner is concerned, the same was accepted by the respondents and the petitioner himself cured the defects on 5.1.2016. Para. 7 of the affidavit (Page 33) reads thus :-

“In reply to the contents of para. No. 8 it is not true and correct that, the respondents have returned the file to the petitioner but in fact the proposal of the petitioner was

accepted by the respondents and the petitioner himself has cured the defects on 5.1.2016. The respondent further submits that, in fact the petitioner has filed his proposal personally but other beneficiaries were not submitted the proposal personally. In fact, other beneficiaries were not in a queue therefore, CCTV footage is also available with the respondents to show that, the other beneficiaries have not submitted the proposal with respondent No.6. It is further submitted that, the other beneficiaries have not present to submit their proposal but through the petitioner other beneficiaries wanted to submit their proposals. In fact, as per the directions given by respondent no.7 authorities to the respondent No.6 one candidate should submit one proposal only and the petitioner wants to submit the proposal of 59 beneficiaries at belated stage which is not possible to scrutinize the proposal of other beneficiaries to accept the proposal beyond cut of date. Copy of directive is annexed herewith and marked as Exhibit R-1..”

4] As per the scheme, the applicant himself has to submit proposal alongwith original certificate and same is not supposed to be submitted through any mediator.

5] As far as the petitioner is concerned, the proposal is accepted. Relief claimed by the petitioner stands redressed to his extent. In the light of that, writ petition is disposed of. No costs..

[K.K. SONAWANE,J.]

[S.V.GANGAPURWALA,J]

grt/-