

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.3081 OF 2016

**Taluka Sangharsh Samiti Shirur Anantpal, Tq.Shirur Anantpal
Vs. The State of Maharashtra and others.**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
--	---------------------------

Mr.T.M.Venjane, advocate for the Petitioner.
Mrs.M.A.Deshpande, A.G.P for the State.
Mr.M.R.Sonawane, advocate for Respondent No.6.

**CORAM : S.V.GANGAPURWALA AND
K.K.SONAWANE, JJ.**
Date : 06.04.2016.

PER COURT :

1. Heard.
2. Mr.Venjane, learned counsel for the petitioner submits that Shraavanbal Yojana and Sanjay Gandhi Niradhar Anudan Yojana, is a scheme promulgated by the Government to give financial assistance to the persons belonging to economically Backward class. About 2446 applications were given. The Committee after verifying the applications accorded sanction to the said applications and the benefit was sanctioned. The amount of Rs.600/- (Rupees six hundred) p.m was being paid to the said beneficiaries. However, all of a sudden, the Tahsildar, stopped the payment to the said beneficiaries. Representation was made by the petitioner. The

Tahsildar, communicated that the grants will be released within one month, however, same were not released. Subsequently on 15.2.2016, the Tahsildar communicated the petitioner that as per the report of the Deputy Collector, the beneficiaries are not having required documents, as such the grants are stopped. According to the learned counsel, after considering all the documents on record, the grants were sanctioned to the beneficiaries and without notice to the petitioner and without hearing the petitioner/beneficiaries, the grants are stopped which is illegal. The object of the scheme is frustrated.

3. Mrs.Deshpande, learned A.G.P states that affidavit is filed by the Tahsildar, Shirur Anantpal. 109 applicants are found eligible on reassessment, 365 beneficiaries would be heard by the S.D.O. Nilanga about their age proof and the names of 1479 applicants/beneficiaries are being verified from the list of BPL families. The applicants/beneficiaries are being inspected and heard by the S.D.O. Nilanga and the Tahsildar, Shirur Anantpal. The inspection procedure would be completed as early as possible and the eligible beneficiaries would be provided the financial assistance under the scheme.

4. We have considered the contentions of the petitioner and the affidavit-in-reply filed by the Respondent Nos.2 and 3. No doubt, the said scheme is promulgated with avowed object. However, it is

also to be seen by the authorities that the benefit of the scheme is not being taken by the ineligible person. The affidavit-in-reply states as under :

“9. In reply to para No.8, I say and submit that, in reply to the Petitioner's representation dated 29.1.2016, the Respondent No.4 Tahsildar, Shirur Anantpal vide letter dated 15.2.2016 has communicated to the Petitioner that directions from the Respondent No.2 have been received with this regard and action would be taken accordingly. It is further stated that the Respondent No.2 vide letter dated 13.1.2016 has directed the Sub Divisional Officer, Nilanga and the Respondent No.4 Tahsildar Shirur Anantpal that the financial assistance be continued to those 109 applicant beneficiaries be heard before the Sub Divisional Officer, Nilanga as their age proofs are found suspicious and the names of 1479 applicant beneficiaries be verified from the list of BPL families and the applicant beneficiaries are accordingly being inspected and heard by the Sub Divisional Officer, Nilanga and Respondent No.4 Tahsildar Shirur Anantpal. The inspection procedure will be completed as early as possible and the eligible beneficiaries will

be provided the financial assistance under the schemes.

*The copy of letter dated 13.1.2016 is annexed herewith
and marked as Exhibit R-2.”*

5. The Respondents considering the object of the scheme shall conclude the said inquiry expeditiously and if according to the Respondent-authorities, some of the applicants/beneficiaries are not meeting the requirements, then they should hear the said beneficiaries before any final decision is taken in respect of the said beneficiaries. The process shall be completed expeditiously and preferably within a period of four (4) months from today. The Government thereafter shall take steps to implement the scheme in respect of eligible beneficiaries.

6. The Writ Petition is accordingly disposed of. No costs.

(K . K . SONAWANE, J .)

(S . V . GANGAPURWALA, J .)

Dt.06.04.2016.
asp/office/wp3081.16

