

- 1 -

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.5937/2013

Anusayabai Eknath Khetre & another.
...Petitioners..

Versus

The State of Maharashtra & others.
...Respondents...

.....

Smt.Manjusha B. Ambekar, Advocate for petitioners.
Smt.M.A. Deshpande, AGP for respondent no.1.
Smt.Deepali Jape (Ansingkar), Advocate for respondent
nos.2 & 3.

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**CORAM: S.V. GANGAPURWALA &
K.L. WADANE, JJ.**

DATE: 30.08.2016

ORDER :

1] Learned counsel for the petitioners states that the petitioners are the folk artists since many years. They have devoted their entire life in the field of folk art. The learned counsel submits that the petitioners are honoured by various institutions and certificates to that effect have been issued to them. According to the learned counsel, the Government of India has introduced a scheme, by virtue of which, financial assistance is given to the persons, who have contributed in the development of art. The said scheme has been published in various

- 2 -

newspapers. According to the learned counsel, the petitioners have given application under the said scheme for financial assistance. The respondents replied that the expert committee has rejected the application. The learned counsel submits that the principles of natural justice are not followed. The stand of the petitioners was never considered. The impugned order is arbitrary and deserves to be set aside.

2] The learned counsel for respondent nos.2 and 3 submits that the said scheme pursuant to which the petitioners are seeking financial assistance is 'Artists Pension Scheme and Welfare Fund'. The same is meant to give pension to the persons distinguished in the arts and such other walk of life, who may be in indigent circumstances. The eligible artists should have made significant contribution in the field of arts, letters etc. for being considered for financial assistance under the scheme. The petitioners could not produce any such record to that effect and the expert committee has rightly rejected the said proposal.

3] We have considered the submissions.

4] No doubt, the scheme i.e. 'Artists Pension Scheme

- 3 -

and Welfare Fund' is a social welfare scheme meant to ameliorate indigent persons who have contributed to the development of art and in other walk of life, we have gone through the certificates submitted by the petitioners. We do not find any single document of appreciation having been issued either by the State or Central Government in favour of the petitioners. The applications of the petitioners were placed before the expert committee. The expert committee, after considering the documents placed before it, has taken decision that the petitioners are not entitled for the benefit of the said scheme. The Courts would not sit as an appellate authority over the decision of experts. With the writ petition also, we do not find any documents, which would inspire confidence that the petitioners contributed significantly to the work of art.

5] Considering the above, the case of the petitioners cannot be considered. Writ petition is disposed of accordingly. No costs.

(K.L. WADANE, J.)**(S.V. GANGAPURWALA, J.)**