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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.2350 OF 2016

Maharashtra Mahila Bachat Gat
Mahsangh (Proposed) & Ors.

... Petitioners

Versus

State of Maharashtra and Ors.

... Respondents

Mr. A.V. Anturkar, Senior Advocate i/by Mr. Amol A. Gatne for the Petitioners.

Mr. Rohit Deo, Associate Advocate General a/w Mr. A.B. Vagyani, Government Pleader and Mr. V.B. Thadhani, AGP for the Respondent Nos.1, 2, 3 and 5.

Ms. Manisha Jagtap a/w Mr. D.A. Dubey for the Respondent No.4.

CORAM : A.S. OKA &
C.V. BHADANG, JJ.

DATE : 2nd MARCH, 2016

PC.

1 The submission of the learned Associate Advocate General in this Petition is that the first Petitioner is not a registered Association and hence, it cannot maintain the Petition. This objection is fairly accepted by the learned Senior Counsel appearing for the Petitioners. This Petition is filed on behalf of the 64 Mahila Bachat Gats as stated in paragraph 17. The learned Associate Advocate General states that the Respondents are aware as to which are these 64 Mahila Bachat Gats.

He states that as far as these 64 Mahila Bachat Gats are concerned, this Petition can be disposed of in terms of order passed in Writ Petition No.2362 of 2016. In case of Mahila Bachat Gats out of 64, where there are no agreements executed, the directions issued in Writ Petition No.4558 of 2016 as regards the supply orders will not apply. The said directions will not apply even to those Mahila Bachat Gats in whose favour there are agreements but where not a single work order has been issued.

2 Accordingly, we dispose of the Petition by passing the following order :-

ORDER

- (i) It will be open for the Petitioners to file additional documents and/or additional reply with the Commissioner within a period of two weeks from today;
- (ii) We direct that hearing shall be given to the Petitioners by the Principal Secretary of the Women and Child Development Department. The Petitioners are directed to appear before the Principal Secretary of the Women and Child Development Department in his office at Mumbai on 22nd March, 2016 at 2.30 pm;

- (iii) We make it clear that the supply orders to the Petitioners shall not be withheld only on the ground that notices dated 31st December, 2015 have been issued by the State Government;
- (iv) After hearing the Petitioners, appropriate order shall be passed by the Principal Secretary of the Women and Child Development Department as expeditiously as possible. The orders be served upon the Petitioners;
- (v) If the orders be adverse to the Petitioners, effect shall not be given to the said orders for a period of 10 days from the date on which the orders are communicated to the Petitioners;
- (vi) We make it clear that it will be open for the Petitioners to raise all contentions which are raised in the Petitions before the Principal Secretary;
- (vii) All contentions of the parties on merits are kept open;
- (viii) Petition is disposed of on above terms.

(C.V. BHADANG, J)

(A.S. OKA, J)