

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 5191 OF 2015

(Samyak Krushi Utpadak Prakriya Sahakari Sanstha and another vs. Chief Secretary, State of Maharashtra and others)

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

Shri A. Parchure, Advocate with Shri S.N. Nandeshwar, Advocate for petitioners.
Shri N.S. Rao, Assistant Government Pleader for respondents.

CORAM : B.P. DHARMADHIKARI AND
KUM. INDIRA JAIN, JJ.

DATED : AUGUST 1, 2016

Petitioners complain of discrimination and point out that though they have started production after availing loan from nationalised Bank, benefit of scheme is not extended to them.

Respondent no.2 has filed an affidavit on 2/7/2016 and denied these assertions. However, this Court on 15/7/2016 passed other order and one more affidavit has been filed by said respondent on 25/7/2016. The affidavit filed later shows that since 2011-12 no financial assistance has been sanctioned to any Society. Though instalments have been released to few societies, their proposals were cleared before 2011-12. Petitioners have applied for the first time in the year 2011.

Adv. Parchure with Adv. Nandeshwar for petitioners are disputing this. Their effort is to demonstrate that other Societies though they have not started fullfledged production, are still being released the assistance.

Petitioner no.1 claims to be a Ginning and Pressing Industry. There is no material produced before us to show that it has already undertaken activity of ginning and pressing. No statement about it is made on affidavit. Adv. Parchure explains that as this fact was never in dispute between parties, there was no occasion to plead it. He is seeking time of two weeks to place necessary material on record.

In view of rival assertions, we find that petition can be safely disposed of by permitting petitioners to make a representation to respondent no.2. If such representation explaining their entitlement and eligibility is made by petitioners within three weeks from today, respondent no.2 shall consider it in accordance with scheme of State Government within next six weeks.

With this liberty and keeping all rival contentions open, we dispose of the petition. No costs.

JUDGE

JUDGE

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CERTIFICATE

I certify that this order uploaded is a true
and correct copy of original signed order.

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Kamal H. Jeswani
Private Secretary

Uploaded on :

01/08/2016