

((1))

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD

WRIT PETITION NO.983 OF 2008 WITH
CIVIL APPLICATION NO.14780 OF 2015

Shri Saint Kaikadi Maharaj Shikshan
Prasarak Mandal, Georai, Tq. Georai,
District Beed, through its President
Kondiram s/o Aabaji Jadhav,
Age 63 years, Occ. Social Service,
R/o Sanjaynagar, Kolher Road,
Georai, Tq. Georai, District Beed ... **PETITIONER**

VERSUS

1. The State of Maharashtra
through its Chief Secretary,
Vimukt Jati and Bhatkya Jamati,
Other Backward Class and Special
Backward Category Welfare and
Social Justice Department,
Government of Maharashtra,
Mantralaya, Mumbai – 32
(Copy to be served on Government
Pleader, High Court of Judicature of
Bombay, Bench at Aurangabad)
2. Director of V.J.N.T. and Other
Backward Class and Special Backward
Category Welfare, Maharashtra State,
Central Building, Pune.
3. The Special District Social Welfare
Officer, Beed, Tq. and District Beed
... **RESPONDENTS**

.....
Shri M.S. Indani, Advocate for petitioner
Shri B.A. Shinde, A.G.P. for respondents
.....

WITH

((2))

WRIT PETITION NO.4972 OF 2009

Shri Ganesh Seva Bhavi Sanstha,
Pachegaon, Tq. Georai, District Beed,
through its Secretary,
Shri Babanrao s/o Uttamrao Pise,
Age 45 years, Occu. Agriculturist,
R/o Pachegaon, Taluka Georai,
District Beed.

... **PETITIONER**

VERSUS

1. The State of Maharashtra
through Chief Secretary,
Social Justice, Cultural Work,
Sports and Special Aid Department,
Mantralaya, Mumbai – 32
(Copy to be served on Government
Pleader, High Court of Judicature of
Bombay, Bench at Aurangabad)
2. The Director,
The V.J.N.T. and Special B.C.
Welfare Directorate,
3, Church Road, Pune - 1
3. The Special District Social Welfare
Officer, Beed, Tq. and District Beed
4. Manav Jeevan Vikas Pratishthan,
Katgaon, Taluka and District Latur,
through its President,
R/o Katgaon, Taluka and
District Latur.
5. Shahu Maharaj Primary and
Secondary Ashram School,
Hiwra Tanda, Taluka Aarwi,
District Wardha, through its
Head Master

... **RESPONDENTS**

.....
Shri M.S. Indani, Advocate for petitioner
Shri B.A. Shinde, A.G.P. for respondents
.....

((3))

WITH

WRIT PETITION NO.5809 OF 2009

Upekshit Samaj Shikshan Sanstha,
Makni, Tq. Lohara/ Omerga,
District Osmanabad, through its
Secretary Shri Sayed Abdul Aziz,
Age 45 years, Occ. Social work,
R/o Makni, Tq. Lohara,
District Osmanabad

... **PETITIONER**

VERSUS

1. The State of Maharashtra
through Chief Secretary,
Social Justice, Cultural Work,
Sports and Special Aid Department,
Mantralaya, Mumbai – 32
(Copy to be served on Government
Pleader, High Court of Judicature of
Bombay, Bench at Aurangabad)
2. The Director,
The V.J.N.T. and Special B.C.
Welfare Directorate,
3, Church Road, Pune - 1
3. The Special District Social Welfare
Officer, Osmanabad,
Taluka and District Osmanabad
4. Manav Jeevan Vikas Pratishthan,
Katgaon, Taluka and District Latur,
through its President,
R/o Katgaon, Taluka and
District Latur.
5. Shahu Maharaj Primary and
Secondary Ashram School,
Hiwra Tanda, Taluka Aarwi,
District Wardha, through its
Head Master

... **RESPONDENTS**

.....

((4))

Shri M.S. Indani, Advocate for petitioner
Shri B.A. Shinde, A.G.P. for respondents

.....

CORAM: RAVINDRA .V. GHUGE AND
 SUNIL K. KOTWAL, JJ.

DATED : 9th NOVEMBER, 2017.

ORAL JUDGMENT (PER RAVINDRA V. GHUGE, J.):

1. In all these matters, the petitioners desire to acquire permission to start Ashram Schools at the places mentioned in the prayer clauses of these three petitions. Interim relief was refused to the petitioners.

2. These petitions have been pending for the last more than nine years. The issue as to whether the petitioners are entitled for grant of permission to start a new Ashram School as per the policy of the State Government existing then in 2008-2009, renders these petitions infructuous by passage of time.

3. Learned counsel for the petitioners, therefore, submits that, if the petitioners make a fresh proposal for starting either an Ashram School or for operating a hostel or any other such activity as per the policies of the Government of Maharashtra as on date, the competent authority may consider such proposals on their merits.

4. Considering the above, these petitions are disposed of as being infructuous. Rule is discharged.

5. In the event any of these petitioners move any proposal to the State Government under any of its policies, the disposal of these petitions would not be an impediment for the competent authority to consider their proposals strictly on their merits and in accordance with the existing schemes/ policies of the State Government.

6. Learned counsel for the petitioners prays that, the amount deposited earlier along with the proposals, may kindly be returned to these petitioners. Learned A.G.P. points out from para No.7 of the affidavit-in-reply dated 19.1.2009, filed by the Special District Social Welfare Officer, Beed that the deposited amounts have been returned to these petitioners. Learned counsel for the petitioners submits that, he has no instructions whether they have received the amounts.

7. Considering the same, in the event the amounts have not been returned to these petitioners, the appropriate authorities shall return the said amounts within a period of

((6))

sixteen weeks from today, failing which the said amounts would attract interest @ 3% p.a. from the date of this order, and the component of interest shall then be paid from the personal salary of the officer due to whom delay in returning the amounts may be caused.

8. In view of disposal of Writ Petitions, Civil Application No.14780/2015 stands disposed of.

(SUNIL K. KOTWAL)
JUDGE

(RAVINDRA V. GHUGE)
JUDGE

fmp/