

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

WRIT PETITION NO. 2970 OF 2016

**MADHAVRAO BABARAO KAWALE
VERSUS
THE UNION OF INDIA AND OTHERS**

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**Advocate for Petitioner : Mr. V.S.Panpatte
Adv. For resp.nos. 1 to 5 : Mr. Bhushan Kulkarni
A.G.P. For respondent no. 6 : Mr. A.R.Kale**

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CORAM : R.M.BORDE AND K.L.WADANE, JJ.

DATED : 24th APRIL, 2017

O R D E R :

The petitioner seeks issuance of directions to the respondents to extend assistance for medical treatment to his spouse, who is suffering from Ovarian cancer.

2. The petitioner is a blind artist and claims assistance under the scheme formulated by the State Government. The scheme stipulates rendering of assistance to the spouse after the death of the artist and not during his life time.

3. Since the scheme itself does not stipulate extending the benefit to the spouse during the life time of the petitioner, it would be difficult to direct the respondents to make payment to the petitioner under the scheme. Since the scheme itself does not stipulate rendering assistance during the life time of artist, request made by the petitioner in the instant petition, cannot be considered.

4. Writ Petition being devoid of merits, stands dismissed.

(K.L.WADANE, J.)

(R.M.BORDE, J.)

dbm/wp2970.16