**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**BENCH AT AURANGABAD**

**PUBLIC INTEREST LITIGATION NO.54/2014**

Balasaheb Sahebrao Bodkhe.
...Petitioner..

**Versus**

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

.....

Shri Nikhilesh K. Tungar, Advocate for petitioner.
Shri S.B. Yawalkar, AGP for respondent nos.1 to 3.
Shri D.J. Choudhari, Advocate for respondent no.4.

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**CORAM: DR.MANJULA CHELLUR, CJ. &**
**R.M. BORDE, J.**

**DATE: 30.06.2017**

**ORDER :**

1] Heard learned counsel appearing for the parties.

2] The petitioner before this Court seeking application of the scheme on parity with that of four Districts, viz., Kolhapur, Jalgaon, Wardha and Thane, where the State Government has extended financial assistance to cooperative societies to refund the fixed deposit amount upto Rs.1,00,000/- to girl members or their fathers and mothers when the girl comes to the age of marriage. This Government resolution is dated 28.2.2014 and copy of the said resolution translated into English is now furnished. The grievance of the petitioner seems to be that similar provision is not extended to Beed District, therefore, there is disparity.

3] Reply affidavit is brought on record giving details why such a policy was adopted in four Districts and so far as Beed District at paragraph nos.7 and 11, it reads as under:-

> "7. The District Deputy Registrar has sent information in format. The information was NIL. It is submitted that at relevant time in Beed District were only two cooperative credit societies who were earlier in financial crisis, however, as the deposits were refunded the information in as far as Beed District was concerned was NIL.
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> 11. It is most humbly brought to the notice of this Court that the Beed D.C.C. is having Banking Licence from Reserve Bank of India. Hence, those deposits at Beed D.C.C. Are covered under the scheme of D.I.C.G.C. (Deposit Insurance and Credit Guarantee Corporation) upto Rs.1,00,000/- having given insurance protection under the said scheme. Hence, there is no proposal under consideration of the Government to provide financial assistance to Beed. D.C.C. copy of

> letter dated 16/02/2015 issued by the Government addressed to Commissioner, Cooperation is annexed at Exhibit R-6.”

4] As per the scheme, th deposits pertain to credit cooperative societies and it does not refer to District Central Cooperative Bank. The District Central Cooperative Bank is involved in the scheme only to prepare the list and forward th list. Beyond that, it has no role to play. So far as the policy or the scheme in question, it is needless to say that certain norms / conditions / criterion was fixed for extending such financial benefit to the depositors and these four Districts seem to fit into the norms fixed by the State. Therefore, such benefit was extended to the four Districts. It is needless to say that if similar conditions are in existence in other Districts also, the concerned authorities or the general public through their elected representatives can always approach the State Government for such assistance.

5] It is also brought to our notice, pertaining to Beed District, 131 cases are registered against the defaulters / office bearers who have swindled the money of credit cooperative societies. Several directions are already given by this Court, how the District Central Cooperative Bank must recover the money from the credit cooperative societies to whom money was lent.

6] In the light of above observations, we are of the opinion that there cannot be any positive direction to extend similar benefit in the District of Beed since the petitioner or the needy persons can always make the representation.

7] Accordingly, the petition is disposed of. No costs.

**(R.M. BORDE, J.)** **CHIEF JUSTICE**