

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.8828 OF 2012
(Kiran Kishor Borde and another Vs. The Union of India, Through
Secretary and others)

Mr.Y.G.Gujrathi, AGP for State.

(CORAM : RAVINDRA V. GHUGE AND
SUNIL K. KOTWAL, J.J.)

DATE : 05/12/2017

PER COURT :

1. None present for the petitioners even at the second call.
2. We have considered the pleadings of the petitioners set out in the memo of the petition and we have gone through the petition paper book.
3. None appears for respondent Nos. 1 and 2, who are represented through the Standing Counsel for Union of India though copies were served on 25/04/2012.
4. The petitioners, by this petition, pray for quashing of the letter dated 30/01/2012 issued by the Assistant Director, National Horticulture Board, Ministry of Agriculture, Government of India at

Nasik. The petitioners further seeks a direction that respondent No.3 State Bank of Hyderabad be directed to consider the proposal of the petitioners for grant of term loan under the Scheme of Development of Commercial Horticulture through Production and Post Harvest Management.

5. It is contended by the petitioners that they have adopted a village by name Koregaon in Tal.Partoor, Dist.Jalna for implementing the scheme of development of Commercial Horticulture through Production and Post Harvest Management National Horticulture Board, Nasik. A term loan was sought for the said purpose. The said proposal has been refused by closing the file by communication dated 30/01/2002 issued by respondent No.2.

6. Upon considering the impugned communication dated 30/01/2012, we find that respondent No.2 had called for some information and answer to its queries from the petitioners. Since the petitioners failed to respond to the queries for a long time, the said case has been closed. It is now practically 6 years thereafter that we are considering this petition.

7. Considering the above, we find that this petition is rendered

infructuous and the same is, therefore, disposed of. However, we observe that in the event, the petitioners desire to seek a term loan under the said scheme set out in this petition and in the event of there being no legal impediment, the disposal of this petition shall not stand in way of the petitioners and any such proposal, if filed, shall be considered independently on its own merits by the concerned authorities.

(SUNIL K. KOTWAL, J.)

(RAVINDRA V. GHUGE, J.)