

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 6970 OF 2017

Kalpana W/o. Gopinath Kharat .. Petitioner

VS.

The State of Maharashtra and ors. .. Respondents

Mr. S.D. Tawshikar, Advocate i/b Mr. A.S. Pavse, Advocate for the petitioner

Mr. P.S. Patil, A.G.P for the respondent/State

**CORAM : S.C. DHARMADHIKARI &
MANGESH S. PATIL, JJ.**

DATE : 14-06-2017

ORAL ORDER :

1. When this Petition was placed before us and argued for some time, we brought to the notice of the petitioner's Advocate that the Scheme, which the petitioner is relying itself contemplates dispute redressal mechanism. The dispute redressal mechanism carved out by the Scheme is contained in clause 14 appearing on page 14 of the paperbook. If the benefit of the Scheme is claimed by heirs of the agriculturists but there is any dispute between the parties to the Scheme, then that dispute has to be resolved by the Committee. The composition of the Committee is also set out in this clause. After the Committee takes a decision and communicates it to the Insurance Company, the Insurance Company would have to abide by it.

2. Once this mechanism has been provided and there being clear disputes of fact, we are of the view that the Writ Petition can be disposed of on the statement of the petitioner's Advocate that the petitioner will approach this Committee and seek its intervention.

3. The Writ Petition is disposed of with such liberty. All contentions of the parties are kept open.

[MANGESH S. PATIL]
JUDGE

[S.C. DHARMADHIKARI]
JUDGE

arp/