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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.4813 OF 2016**

Azad Hind Education and Welfare
Society and Ors.

... Petitioners

Vs.

District Women and Child
Development Officer and Ors.

... Respondents

Ms. Pooja Singh i/by Mr. N.R. Bubna for the Petitioners.
Mr. Manish Pabale, AGP for the Respondent – State.

**CORAM : A.S. OKA &
A.K. MENON, JJ.**

DATE : 6th APRIL, 2017

PC.

1 Heard the learned counsel appearing for the petitioners and the learned AGP for the State. The petitioners – Institutions are running Children's home allegedly established under Section 34 of the Juvenile Justice (Care and Protection of Children) Act, 2000 (for short "the said Act"). The prayer in this Petition under Article 226 of the Constitution of India is to release arrears of grant which is admissible as per the Government Resolutions dated 13th September, 2013 and 13th February, 2014. There is a reply filed by Shri Devendra Krishnaji Raut, the District Women and Child Development Officer, Nashik. In the said reply, reliance is placed on the Government Resolutions dated 1st

October, 2016 issued by the Women and Child Development Department of the State Government. In the reply, it is stated that the process of re-assessment of the case of the petitioners for releasing grant has been undertaken. In paragraph 3 of the affidavit, the following is the statement made :-

“3. Without prejudice to what is stated hereinabove, I say that if the Petitioner Management produces original records with reference to the subject matter of the present Writ Petition before the competent authority, who had issued re-assessment order in favour of the Petitioner – Management, the same will be verified by the concerned competent authority and if the Petitioner – Management is found eligible as per the relevant Government policies, further action will be taken in accordance with law.”

2 We accept the aforesaid statement made in paragraph 3.

3 In view of this statement, we dispose of the Petition by passing the following order :-

ORDER

- (i) We direct the petitioners to render all possible co-operation to the officers of the State Government by producing the original records for verification;

- (ii) We direct the respondents to complete the process of re-assessment of the petitioners as expeditiously as possible and in any event not later than 31st December, 2017;
- (iii) The decision taken by the State Government on re-assessment shall be communicated to the petitioners not later than 7th January, 2018;
- (iv) If the petitioners or any of them are found eligible for the release of grant on the basis of re-assessment, the entire amount of grant payable upto date shall be released to the concerned petitioners as expeditiously as possible and in any event on or before 31st March, 2018;
- (v) We make it clear that we have made no adjudication on the entitlement of the petitioners to receive the grant and all the issues in that behalf are kept open to be decided at the time of re-assessment of the entitlement of the petitioners;
- (vi) The Petition is disposed of on above terms.

(A.K. MENON, J)

(A.S. OKA, J)