

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION (L) NO. 16602 OF 2017

Smt. Kalpana Rangnath Inamdar ... Petitioner.
V/s.
State of Maharashtra & Ors. ... Respondents.

.....

Mr. Hamid Kadiani i/b. Ms. Shilpa Madki for the Petitioner.
Mr. A. B. Vagyani, Government Pleader a/w Mr. P. G. Sawant, AGP for
Respondent-State.

.....

**CORAM : DR.MANJULA CHELLUR, C.J. &
N.M. JAMDAR, J.**

DATE : 20th July 2017.

PC. :

1. Heard learned counsel for the petitioner. The petitioner, as a *pro bono publico*, is before this Court to seek quashing and setting aside the Government Resolution dated 14th June, 2017. According to the petitioner, he is a social worker since 2002. The main contention of the petitioner seems to be that the conditions imposed to get the benefit of loan of Rs.10,000/- for monsoon crop are so arbitrary and fanciful that even genuine applicants may not be able to get the loan. According to the petitioner, the terms and conditions like the person who files income-tax returns is not eligible to seek loan, the person whose family, i.e. other than him, possesses tractor,

or such any other four wheeler, will not be entitled to seek loan, will practically make genuine persons not getting the benefit of the loan.

2. The learned Government Advocate submits that the purpose of imposing such conditions while extending such benefit is only to see that those persons (farmers) who live only on farming and agriculture, would alone get the benefit and not those persons who are having source of income other than agriculture. Apparently, the Government Resolution seems to be one of the policies to help the farmers in the State of Maharashtra. The very meager amount of Rs.10,000/- as a loan would indicate that a person having better facilities and whose requirement is more than Rs.10,000/- will not get such benefit. The person, who is not even capable of investing Rs.10,000/- in farming or agriculture to make a livelihood for himself and his family, will get the benefit. If any particular farmer is entitled to such loan and if it is refused, he always has a right to approach the Court. On surmises and apprehension that genuine persons may not get the loan cannot be the ground to be accepted at this stage to hold that in general no farmer will get the benefit from the Government Resolution in question. In that view of the matter, we are of the opinion that this petition cannot be entertained as a Public Interest Litigation.

3. Accordingly, the Public Interest Litigation is disposed of.

(N.M. JAMDAR, J.)

(CHIEF JUSTICE)