

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 13080 OF 2016**

**Maharashtra Rajya Sarkari Karmachari
Sahakari Bhadekaru Malaki Gruhanirman
Sanstha Ltd.**

..Petitioner.

Vs.

The State of Maharashtra & ors.

..Respondents

Mr. S.M. Sabrad, advocate for the Petitioner.

Ms. Nisha Mehra, AGP for the Respondent State.

**CORAM : RANJIT MORE &
SMT.SADHANA S. JADHAV, JJ
DATE : SEPTEMBER 27, 2017**

P.C.

1 Heard Mr. Sabrad, the learned Counsel for the petitioner and Ms. Mehra, the learned Counsel for the Respondent-State.

2 The Petition is filed seeking following relief :

“(a) to quash and set aside the Point No. 4 and Clause (ix) in Annexure B of Government Resolution dated 15/7/1978 issued by Revenue and Forest Department, Government of Maharashtra regarding prior approval for enrollment of new member or substitute any member;”

3 Mr. Sabarwal, learned Counsel for the Petitioner at the outset makes a statement that the Petitioner is not interested in challenging the legality and validity of the point No.4 and clause (ix) in Annexure B of Government Resolution dated 15/7/1978. He submitted that the Petitioner

would be satisfied if the Collector or Commissioner or the Government is directed to dispose of the application seeking permission to enroll new membership is disposed of expeditiously. It is a grievance of Mr. Sabrad, learned Counsel for the Petitioners that if such applications are made, the same remain pending years together and thereby causing prejudice to the persons seeking such permission. The Ms. Mehra, learned AGP submitted that appropriate directions to that effect may be issued.

4 In the light of the above, we are not inclined to interfere in the Petition. However, in our considered view, interest of justice would be subserved if the Collector or Commissioner or Government is directed to dispose of applications for permission to enroll new members in terms of clause (ix) in annexure B of the Government Resolution dated 15/7/1978 as expeditiously as possible and preferably within a period of 6 months from the receipt of the applications. Ordered accordingly.

5 Needless to state that such application be decided independently on its own merits and in accordance with law.

6 Subject to above, the Petition is disposed of.

[SMT.SADHANA S. JADHAV,J]

[RANJIT MORE, J]