

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR.

Writ Petition No.1948/2002
(Prabodhankar Thakre Shikshan Sanstha, Amravati .vs. The State of Maharashtra and others.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions Court's or Judge's orders.
and Registrar's orders

Shri P.C. Madkholkar, Advocate for Petitioner.
Shri N.R. Rode, AGP for Respondent Nos. 1 & 2.

CORAM : R.K. Deshpande & Manish Pitale, JJ.
DATED : August 18, 2017.

This petition challenges the stoppage of grant-in-aid to Vruddhashram, which the petitioner claims to have constructed on the land which is allotted to it for a period of 30 years on lease as per the order dated 16.02.1996. Shri Madkholkar, the learned counsel appearing for the petitioner submits that the petitioner is not interested in getting grant-in-aid from the Government for the said Vruddhashram, but the petitioner is prepared to run and is running Vruddhashram on no grant basis. In view of this, in our view nothing survives in this petition and the same is required to be dismissed as the cause of action does not survive.

2. At this stage, Shri Madkholkar, the learned counsel for the petitioner submits that the lease of the land granted to the petitioner cannot be cancelled and the petitioner, therefore, be protected from such cancellation. We have seen the order dated

16.02.1996 passed by the Collector, Amravati, granting lease for a period of 30 years and there is nothing on record to show that the lease granted to the petitioner has been cancelled. If any such action of cancellation of lease is taken, it shall be open for the petitioner to approach the appropriate authority/Court for redressal of any grievance.

3. The writ petition is dismissed as the cause of action does not survive. Rule stands discharged. No costs.

JUDGE

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