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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.3507 OF 2013

Sangmeshar Shikshan Prasarak Mandal,
Kawalkhed, Tq. Udgir,
Dist. Latur
Through its President
Baswaraj Babarao Biradar

..PETITIONER

VERSUS

The State of Maharashtra,
Through the Secretary,
Social Justice and Special Assistance,
Mantralaya, Mumbai

..RESPONDENTS

Mr R. D. Biradar, Advocate for petitioner;
Mr A. S. Shinde, A.G.P. for respondent

**CORAM : PRASANNA B. VARALE
AND
S. M. GAVHANE, JJ.**

DATE : 26th June, 2018

ORAL ORDER:

Heard Mr Biradar, learned Counsel appearing for the petitioner
and learned A.G.P. appearing for the respondent - State.

2. Perusal of the order sheet shows that the present petition was
tagged along with Writ Petition Nos.1530 of 2013 and 1557 of 2013.

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3. The petitioner challenges the communication issued by the Deputy Secretary of the State of Maharashtra, dated 8th February, 2013, thereby granting stay to the effect and operation of the Government Circular dated 21st January, 2013 and corrigendum issued dated 24th January, 2013. It may not be necessary to give the other details of the Circular dated 21st January, 2013, suffice it to say that this was a circular issued for grant of certain financial assistance to the schools being run by the institutes by way of self aid and these were the ashram schools mainly providing the access to the education for tribal children. It seems that Writ Petition No.1530 of 2013 and the other petitions were decided by the Division Bench of this Court by order dated 21st August, 2015. Being the identical issue involved in the above referred petitions and the present petition, it may not be out of place to refer the order of the Division Bench dated 21st August, 2015 and the same reads thus :-

“1. These petitions challenge suspension of Government Resolution dated 21.01.2013 and Corrigendum dated 24.01.2013. Admittedly, these Government Resolutions promised substantial financial help to petitioners and similarly placed societies who manage petitioners Colleges for V.J.N.T alongwith Ashramshala. Unfortunately, on 8.2.2013, the State of Maharashtra suspended the implementation of this resolution alongwith Corrigendum. Reason for this is given

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that, it would cause burden on Government exchequer and that Finance Department's concurrence was not obtained. Since, suspension occurred within two weeks, petitioners and similarly placed societies would not face substantial loss and prejudice. Nonetheless, promised help should come to the concerned after obtaining concurrence of Finance Department. Incident is of 2013. We are now in 2015. We expect the Government of Maharashtra to take decision on the fate of Resolution dated 21.1.2013 alongwith Corrigendum as early as possible and we direct them to do so within ONE YEAR from today.

2. Writ Petitions accordingly disposed of. No costs.”

4. It seems that though the petition was directed to be tagged with Writ Petition No.1530 of 2013 for hearing and disposal, it remained to be tagged along with the other bunch of petitions for hearing and decision.

5. By order dated 21st August, 2015, while observing that suspension of the Government Circular and the corrigendum occurred within two weeks, the petitioners and similarly placed societies would not face substantial loss and prejudice, the State Government was directed to take decision on the fate of resolution dated 21st January, 2013 along with the corrigendum, within stipulated period of one week from the date of the order.

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6. In view of above facts, we see no reason to take any different view than the view adopted by the Division Bench in order dated 21st August, 2015 and no purpose would be served by keeping the petition pending before this Court.

7. Accordingly, we direct the State Government to take decision on the fate of Resolution dated 21st January, 2013 as expeditiously as possible and within eight weeks from the date of the order of this Court, if the decision is not already taken by the State Government till date.

Writ Petition is disposed of accordingly.

(S. M. GAVHANE, J.)

(PRASANNA B. VARALE, J.)

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