

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

**WRIT PETITION NO.580 OF 2016
WITH
CIVIL APPLICATION NO.14017 OF 2016**

Digamber s/o. Bhagwanrao Ghadge
Patil, Age : 49 years,
Occ. Nil (Founder Chairman of
the Maharashtra State Handicapped
Employees Union),
r/o. At post Deodhanora,
Tq. Kallam, Dist. Osmanabad ..Petitioner

Vs.

The Principal Secretary,
Government of Maharashtra,
Mantralaya, Mumbai
and others ..Respondents

Mr.B.V.Thombre, Advocate for petitioner
Mr.S.P.Tiwari, AGP for respondent nos.1 to 4

**CORAM : S.V. GANGAPURWALA AND
R.G. AVACHAT, JJ.**

DATE : DECEMBER 18, 2018

PER COURT

Mr.Thombre, learned Counsel for the
petitioner, submits that the petitioner is a
representative of the Union. He is physically
handicapped with 85% of permanent orthopedic
disability. The petitioner is eligible and entitled to

be nominated as a Member of the District Handicapped Welfare Co-ordination Committee. He submits that the petitioner is also eligible to be a member of the State Advisory Committee, which is constituted as per the new enactment and he has filed a representation. He, therefore, prays that the State may be directed to consider the claim of the petitioner.

2. The learned AGP, on the basis of the affidavit filed on behalf of the respondent/State, submits that under the new enactment of Rights of Persons with Disabilities Act, 2016 Act ("Act of 2016", for short), the District Handicapped Welfare Co-ordination Committee is disbanded and now, under the Act of 2016, the provisions of constitution of State Co-ordination Committee and State Executive Committee have been repealed, according to which, the District Advisory Board is to be constituted. He further submits that the District Advisory Board is already constituted.

3. The members of the District Advisory Board are not before us. Therefore, appointment on the said Board is also not under challenge. In view of the fact that the District Advisory Board is already constituted, no further directions can be issued in the present Writ Petition. It is for the Government to appoint member of the said advisory board in accordance with the provisions as laid down in the Act of 2016. The petitioner, by adhering to the said Act, may make a representation, which, the respondent may consider, if permissible as per the statute and the Act.

4. The Writ Petition is accordingly disposed of. No costs.

5. In view of disposal of the Writ Petition, Civil Application does not survive and stands disposed of.

[R.G. AVACHAT, J.]

kbp

[S.V. GANGAPURWALA, J.]