

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

WRIT PETITION NO.1270 OF 2019

**AJEET BHAUSAHEB JAGDHANE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Mr.Sudhir K. Chavan, Advocate for the petitioners
Mr.S.S.Dande, AGP for the respondents/State

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

DATED : 08.02.2019

P.C. :-

. Heard learned counsel for the petitioner.

2. The petitioners are students prosecuting their studies in various courses i.e. petitioner No.1 is prosecuting his studies of the Diploma Certificate Course of Electrician and petitioner No.2 is prosecuting his studies of the Diploma Certificate Course of Construction Supervisor. Petitioner No.1 belongs scheduled caste whereas petitioner No.2 belongs to scheduled tribe as notified by the Central Government.

3. Learned counsel for the petitioners invited our attention to the certain Government Resolutions

and Circulars issued time to time. These are the resolutions and circulars of 19.03.2013, 04.03.2014 and 05.08.2014. The petitioners have also placed on record minutes of meeting conducted under the Chairmanship of Hon'ble Minister of Social Welfare on 12.08.2015 and perusal of the communication dated 29.09.2015 placed on record at Exh.F shows that there was certain grievance raised by the students who were residence of Akola. It is the grievance of the petitioners that though the State Government by way of these Government Resolutions and Circulars decided to grant tuition fees as well scholarship to the students belonging to scheduled caste and scheduled tribe categories, the petitioners and alike students are not getting the benefits of the scheme.

4. Learned counsel for the petitioners then invited our attention to the representation submitted to the State authorities on 26.12.2018.

5. We find considerable merit in the submissions of the learned counsel for the petitioners that if the State Government with laudable object of providing financial assistance to

the students who are belonging to the scheduled caste and scheduled tribe categories so as to prosecute their studies. Such object must reach to its logical end meaning thereby the beneficiaries must get these benefits, otherwise the object of the scheme would be only on the paper and will not see reality.

6. Thus, without expressing any opinion on merits of the representation and leaving the issue open for the competent authority, we are inclined to dispose the petition at the admission stage with direction to respondent No.1 to consider and decide representation on its own merits, as expeditiously as possible, and not later than 20 weeks from the order of this Court.

7. We also make it clear that respondent No.1 can certainly take assistance of other departments by calling report, data or information so as to decide the representation earliest.

8. With above directions, the writ petition is disposed of.

[S.M.GAVHANE, J.]

[PRASANNA B. VARALE, J.]