

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

910 WRIT PETITION NO.1366 OF 2014
WITH CA/7513/2014 IN WP/1366/2014 WITH CA/7110/2015 IN
WP/1366/2014

SHIKSHAN SAMITI BODHADI (BK)
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. S.G. Jadhavar
AGP for Respondents 1 & 2 : Mr. R.B. Bagul
Advocate for intervenor in CA 7513/14 : Mr. S.S. Panale
Advocate for intervenor in CA7110/15 : Mr. P.K. Lakhotiya
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CORAM : T.V. NALAWADE, J.
DATED : 14/02/2019.

ORDER :

1. The petition is filed for giving directions to respondents, particularly the District Welfare Officer to take the decision on representation made by the petitioner for releasing the grants other than the salary grant which could have been sanctioned in favour of the institution which was under the management of the present petitioner.

2. The submissions made show that there was dispute amongst the persons managing the institution and that was going on in the office of Charity Commissioner. As there was no proper management, the administration was taken over and it

was given to Administrator by the Government. Subsequently, the school itself, which was for handicapped children, blind children, came to be transferred. The submissions made show that the petitioner is claiming the reimbursement in the form of grants in respect of the amount spent by the management which was there prior to the appointment of the Administrator. In the intervention applications, learned counsel Shri. Manale submitted that no amount was spent by the persons, who were shown in the management, but the amount was actually spent by two Headmasters of the relevant time by taking the grocery and goods on credit basis. He submitted that such representation is filed by them also before the District Welfare Officer.

3. The learned AGP submitted that it was made clear by the authority that the decision will be taken after receiving grants in aid from the Government. Copy of such order is produced on record which was passed by the District Welfare Officer, Zilla Parishad, Nanded.

4. Whether the grants had become payable needs to be ascertained first and that can be done on the basis of record of

expenditure which aforesaid two rival sides must be having with them. There must be some record of inspection made by the authority of said school for the relevant period. After considering that record, the District Welfare Officer may take decision in respect of the period and may take decision in favour of either Headmasters or other side. The decision is to be taken within six months from today. The proceeding is disposed of in aforesaid terms. Civil Applications are disposed of.

[T.V. NALAWADE, J.]

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