

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

CIVIL APPLICATION (Stamp) No. 25229 of 2019
IN
PUBLIC INTEREST LITIGATION No. 152 of 2018

Shri Saibaba Sansthan,
Shirdi Taluka Rahata Dist. Ahmednagar ...Applicant

Versus

The State of Maharashtra and others ...Respondents

Mr. N.R. Bhavar, Advocate for applicant.
Mr. Ajinkya Kale, Advocate., h/f. Miss P.S. Talekar, Adv. for
respondents No. 5 & 6
Mr. S.B. Yawalkar, Asstt. Govt. Pleader for Respts. No.5 & 6

CORAM : PRASANNA B. VARALE,

AND

R. G. AVACHAT, JJ.

DATE : 13th August, 2019

ORAL ORDER:

1. Not on board. Taken on board.
2. Learned Counsel Mr. Bhavar appearing for the applicant submitted that there is pressing urgency in the matter and considering the contentions raised in the application and on perusal of the documents, we are of the opinion that the present

application requires immediate attention of this Court. Applicant *Shri Saibaba Sansthan*, Shirdi through its Chief Executive Officer is before this Court.

3. On the backdrop of a fact situation due to unprecedented heavy rains, two districts, namely, Kolhapur and Sangli have suffered the loss of human lives and also damage to the property. It is also the common knowledge that other districts of the State of Maharashtra are providing helping hands to the two flood affected districts by whatever means possible. Certain non-governmental organizations are also providing necessary assistance. Applicant Sansthan by way of its goodwill gesture resolved to provide assistance to these two districts in the form of medicines to the tune of Rs. 10,00,000/-, one ambulance and the team of twenty doctors. In addition to this, the applicant-*Sansthan* is willing to donate amount of Rs. ten crores to the flood affected area and this amount would be deposited in the Hon'ble Chief Minister Relief Fund. Annexure A-1 to the application refers to the note submitted by the Chief Executive Officer Mr. Mugalikar of *Shri Saibaba Sansthan*, Shirdi, and this suggestion is fully approved by the President and the other Committee Members of the *Sansthan*.

4. Learned Counsel Mr. Kale, holding for Miss Talekar

appearing for non-applicants No. 5 and 6 fairly submitted that non-applicants No.5 and 6 have no objection for the relief being provided in the form of medical assistance and the amount to the tune of Rs. ten crores. The learned Counsel also made certain suggestions considering the above referred fact situation. We allow the application in terms of Prayer Clause (B).

5. The learned Counsel appearing for non-applicants No.5 and 6 submitted that as the applicant-*Sansthan* is providing medical assistance by way of medicines, ambulance and a team of 20 doctors, some assistance also be provided to the District Administrations so as to undertake exercise of fumigation in the flood affected area of Kolhapur and Sangli districts. The learned Counsel appearing for non-applicants No.5 & 6 submitted that usually after the post flood, residents face the health hazardous situation and by way of preventive measures the District Administrations can undertake exercise of the fumigation. This being a bonafide suggestion and also additional step for necessary assistance to the flood affected areas of Kolhapur and Sangli districts, the learned Counsel appearing for respondents No.5 and 6 submitted that applicant-*Sansthan* be also directed to donate certain funds for this activity to the District Administrations of Kolhapur and Sangli.

6. This being a bonafide suggestion and a step forward to provide necessary assistance to these flood affected districts, we welcome the suggestion and accordingly we direct the applicant-Shirdi *Sansthan* to provide a financial assistance of Rs. one crore to each district i.e. District Kolhapur and District Sangli and this amount be disbursed in favour of the District Collector, Kolhapur, and District Collector, Sangli.

7. On receipt of such amount, the District Collector Kolhapur and the District Collector, Sangli to utilize this amount mainly for the fumigation exercise, needless to state that by seeking assistance from the Animal Husbandry Department or the Veterinary Department.

8. The District Collector, Kolhapur, and the District Collector, Sangli, to submit report of such steps being taken by them to this Court, within ten weeks from today.

9. The above referred amounts be released/dispensed by 17th August, 2019.

10. The learned Asstt. Govt. Pleader to communicate this order immediately during the course of the day to the respective District Collectors, Kolhapur and Sangli.

11. Authenticated copy of this order be provided to the learned Counsel for the applicant and the learned Asstt. Govt. Pleader.

(R. G. AVACHAT)
JUDGE

(PRASANNA B. VARALE)
JUDGE.

Madkar