

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

**WRIT PETITION NO. 9427 OF 2019**

Minakshi Mahila Mandal, Ramnagar,  
Nanded and another .. Petitioners

**Versus**

The State of Maharashtra and others .. Respondents

Shri Ajay G. Talhkar, Advocate for Petitioners.  
Shri S. B. Pulkundwar, A.G.P. for Respondent Nos. 1 to 3.

**CORAM : S. V. GANGAPURWALA AND  
A. M. DHAVAL, JJ.**

**DATE : 08TH APRIL, 2019.**

**FINAL ORDER :**

. The petitioners are challenging the cancellation of recognition of the petitioner No. 2 Bal Gruha, so also the subsequent orders dated 03.11.2012 and 16.11.2012.

2. The learned Assistant Government Pleader raises a preliminary objection that, the petitioners have remedy of appeal under Rule 23(6)(c) of the Maharashtra Juvenial Justice (Care and Protection of Children) Rules, 2002.

3. The learned counsel for petitioners submits that, the petitioners have been categorized in A category under order

dated 23.03.2019 for the year 2017-2018. According to the learned counsel, the petitioners possess necessary infrastructure.

4. We have also heard the learned Assistant Government Pleader.

5. This Court under order dated 05th December, 2012 had passed an order not to act upon the order of cancellation of recognition.

6. As appeal is provided, the Appellate Authority can consider all the contentions raised by petitioners about categorization of petitioner No. 2 in Group A, so also the petitioner possessing necessary infrastructure and there is no deficiency.

7. In the light of the above, the writ petition is disposed of with liberty to petitioners to avail the alternate remedy before the State Government. If the appeal is filed within a period of three (03) weeks from today, the respondents shall not raise an issue of limitation. If the appeal is filed within three weeks from today before the State Government, then the interim order passed in this petition shall continue till the disposal of appeal. All contentions of respective parties are kept open. No costs.

**[A. M. DHAVAL, J.]**

**[S. V. GANGAPURWALA, J.]**