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

PUBLIC INTEREST LITIGATION NO.137 OF 2019

1. Sudhakar Dnyanoba Shinde,
Age: 58 years, Occu: Agri.,
R/o: At post Patil Galli, Gangapur,
Tq. & Dist. Latur
2. Hanumant s/o Tukaram Khandande,
Age: 65 years, Occu: Agri.,
R/o: At post Gangapur,
Tq. & Dist. Latur
3. Sugriv s/o Bhaguram Waghe,
Age: 59 years, Occu: Agri.,
R/o: At post Gangapur,
Tq. & Dist. Latur
4. Angad s/o Dhondiram Dandime,
Age: 43 years, Occu: Agri.,
R/o: At post Gangapur,
Tq. & Dist. Latur
5. Vimal w/o Dattatray Bansode,
Age: 43 years, Occu: Agri.
R/o: At post Gangapur,
Tq. & Dist. Latur

..PETITIONERS

VERSUS

1. The Union of India,
Through its Secretary,
Ministry of Agriculture, Co-operation
and farmers Welfare, Krishi Bhavan,
New Delhi 110001
2. The Chief Secretary,
Government of Maharashtra,
Mantralaya, Mumbai-32
3. The State of Maharashtra,
Through its Secretary of
Revenue and Forest Department,
Mantralaya, Mumbai-32

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4. The State of Maharashtra,
Through its Secretary,
Agriculture, Animal Husbandry,
Dairy Development and Fisheries,
Mantralaya, Mumbai-32
5. The Commissioner,
Agricultural Department,
3rd floor, Central Building,
Pune - 411001
6. The Divisional Commissioner,
Aurangabad Division, Aurangabad
7. The District Collector of Latur,
District Latur
8. District Superintendent,
District Agricultural Officer,
Latur
9. The Tahsildar,
Tahasil Office, Latur,
District Latur
10. Bajaj Allianz General Insurance Company Ltd.,
Through its Authorized Officer,
Comerzone, 1st flower, Tower-1,
Samarth Ashok Marg, Yerwada,
Pune 411001

..RESPONDENTS

Mr R. A. Deshmukh, Advocate for petitioners;
Mr S. B. Deshpande, ASGI for respondent No.1;
Mr S. P. Sonpawale, A.G.P. for respondent Nos.2 to 9

**CORAM : PRASANNA B. VARALE
AND
ANIL S. KILOR, JJ.**

DATE : 2nd December, 2019

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ORAL ORDER:

The present public interest litigation raises the issue in respect of immediate steps to be taken for providing the assistance to the agriculturists, who are the sufferers of unforeseen situation being faced because of untimely heavy rains. Needless to state that the petitioners, who are the agriculturists are seeking the benefits of Government Resolution dated 6th November, 2018. This Government Resolution deals with the scheme known as “Pradhan Mantri Peek Bima Yojna” being implemented through the State of Maharashtra.

2. At this stage, we may state that this very issue of the scheme under Government Resolution dated 6th November, 2018 is considered by this Court in Public Interest Litigation No.130 of 2019 by an order dated 15th November, 2019. At the cost of repetition, we only state that the Government Resolution dated 6th November, 2018 provides a three tier mechanism for redressal of the grievances of the agriculturists in the form of District Level Monitoring Committee, the Committee at the Divisional Level and the State Level Committee. Clause 18 of the said Government Resolution deals with the steps to be taken on receipt of such grievances and it also states that if the complaints are of serious nature or these complaints are focused on more than one district as well as if the loss caused to the farmers is more than Rs.25,00,000/-, such complaints are to be submitted to the

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State Level Committee. The State Level Committee is duty bound to decide such complaints within a stipulated period of 15 days and decision of the State Level Committee would be final.

3. Considering the aforesaid facts, we find that the petitioners have only approached to the District Agricultural Officer by submitting representation dated 20th September, 2019 and further representation is submitted to the District Collector, Latur on 25th September, 2019, but this representation is contrary to the submissions of learned Counsel for the petitioners. Learned Counsel for the petitioners submitted that though it is not specifically stated in the representation dated 25th September, 2019 nor it forms the part of contentions raised in pleadings of the petition, the loss caused to the farmers/agriculturists is more than Rs.25,00,000/-.

4. Considering the aforesaid very facts, we are of the clear opinion that the petitioners have an efficacious remedy open to submit a proper and detailed representation to the appropriate committee i.e. either to the District Level Monitoring Committee or the State Level Committee.

5. In view of above, we dispose of the present public interest litigation with liberty to the petitioners to submit a proper and detailed

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representation to the appropriate committee i.e. either District Level Monitoring Committee or the State Level Committee, within a period of two weeks from today. If such representation is received by the District Level Committee or the State Level Committee, needless to state that the appropriate committee to take steps and decide the representation as per the modalities referred to in the Government Resolution dated 6th November, 2018, as expeditiously as possible or within a stipulated period as referred to in the said Government Resolution.

With the aforesaid liberty to the petitioners, the present public interest litigation is disposed of.

(ANIL S. KILOR, J.)

(PRASANNA B. VARALE, J.)

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