

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

WRIT PETITION NO. 674 OF 2018

Shriram Shikshan Prasarak Mandal

Through its President

R. J. Chavan and others

.. Petitioners

Versus

The State of Maharashtra and others

.. Respondents

Shri N. P. Patil Jamalpurkar, Advocate for Petitioners.

Ms. Vaishali N. Jadhav Patil, A.G.P. for Respondent Nos. 1 to 3.

CORAM : S. V. GANGAPURWALA AND

A. M. DHAVALA, JJ.

DATE : 14TH JANUARY, 2019.

FINAL ORDER :

. The matter is with regard to grant in aid. Mr. Patil, the learned counsel for petitioners submits that, a meager grant in aid of Rs. 900/- per student is provided. Same is too meager and not sufficient for the sustenance of the children. The petitioners are running V.J. Ashram Schools. According to the learned counsel, if the Government runs such Ashram School Rs. 5,000/- per student grant in aid is provided. The learned counsel submits that, providing such a meager grant in aid is violative of Article 21 of the Constitution of India.

2. The learned Assistant Government Pleader submits that, providing particular quantum of grant in aid is policy decision of the State. The issue with regard to increased grant towards maintenance allowance is under consideration of the State Government and for the purpose of deciding quantum of increase in grant, a study group is already established under the Chairmanship of Chief Secretary. The study group is considering increase of grants in Ashram Schools also.

3. We have considered the submissions canvassed by the learned counsel for respective parties.

4. There cannot be any dispute with the proposition that increase in grant in aid per student would be the subject matter of the policy decision of the State. The policy matters involve financial ramifications would not be interfered by the Court lightly.

5. The grant in aid is provided as per the relevant Code and the Rules. Because of the inflation providing Rs. 900/- per student grant in aid would be minimal.

6. As it is submitted that, Government has already constituted study group for deciding quantum of increased grant in aid and the said study group is under the Chairmanship of

Chief Secretary and the member is Additional Chief Secretary of Planning and Finance, Principal Secretary, Social Justice and Special Assistance Department as Member Secretary, the Commissioners and Directors of Tribal Development, Social Welfare, V.J.N.T. Department Handicapped Labour and so on. It is further stated in the affidavit that the study group is considering increase of grants to all aided hostel, Ashram School, residential school for the Handicapped and such institutions run by the petitioners. As same is subject matter of consideration with the State Government, it would be appropriate for the State Government to take decision upon the same. However, the State Government may expedite the said process of decision making.

7. In view of the above, the writ petition is disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

bsb/Jan. 19