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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
PUBLIC INTEREST LITIGATION NO. 154 OF 2018

Rohidas Ramesh Shinde

..Petitioner

Vs.

The State of Maharashtra and ors.

..Respondents

None for petitioner.

Mr. M. M. Pabale, AGP for State.

Mr. Abhijeet A. Tambe I/by Mr. Vinod P. Sangvikar for respondent
no.6.

CORAM: PRADEEP NANDRAJOG, CJ. &
N. M. JAMDAR, J.

APRIL 18, 2019.

P.C.

1. This is a Public Interest Litigation. As per the petitioner, on 9 February 2017 the State of Maharashtra took a decision to implement the Schedule Caste Upay Yogna. As per the Petition, it was decided to install CCTV cameras in areas where underprivileged people live. It is pleaded that financial assistance provided by the Government was for the said scheme. It is pleaded that ₹ 75 lakhs was sanctioned to install CCTV cameras. It is pleaded that the respondents are intending to divert the funds for some other purpose.

2. The annexures filed with the Public Interest Petition are suggestive of the fact that the funds have been released for installing CCTV cameras and no document has been filed wherefrom it can be gathered that the funds released for installing CCTV cameras are likely to be diverted for some other purpose.

3. The learned counsel for the respondents state that they no instructions. Be that as it may, a fund released for a specified purpose has to be utilized for the purpose concerned unless a proper decision is taken to divert the fund to be utilized for some other purpose. Since the Public Interest Petition does not place any document to show that the funds for installing CCTV cameras are under a threat of diversion, we dispose of the Public Interest Petition declaring the legal position being; if a fund is sanctioned for a particular purpose it needs to be utilized for the purpose in question unless permission of the grantor is obtained for diversion of the fund to any other purpose. File be consigned to the record.

N. M. JAMDAR, J.

CHIEF JUSTICE