

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 5878 OF 2016

Changuna Manav Vikas Bahuuddeshiya

Shikshan Sanstha, Bibewadi,

Tq. Haveli, Dist. Pune

... Petitioner

Versus

The State of Maharashtra and Ors.

... Respondents

Mr.D.G.Dhanure for the Petitioner.

Mr.Yatin Khochare, AGP for the Respondents.

CORAM : AKIL KURESHI &

S.J. KATHAWALLA, JJ.

DATE : 19TH AUGUST, 2019

P.C.:

1. Heard the learned Counsel for the Petitioner and the learned AGP for the Respondents. The learned AGP has placed on record a letter dated 19th August, 2019 addressed to him by the Women and Child Development Department, Mantralaya, Mumbai. The letter is taken on record and marked 'L-1' for identification. The letter records that the assessment of the Petitioner for releasing the grant in aid for the financial year 2015-17 has been completed and it was found that a sum of Rs.8,05,982/- (2015-16) and Rs.5,99,675/- (2016-17) is payable to the Petitioner. A

part of the amount has been paid and a sum of Rs.3,73,570/- (2015-16) and Rs.1,28,855/- (2016-17) is still payable. The learned AGP on instructions states that the said amount of Rs.5,02,425/- will be paid to the Petitioner within a period of four weeks from today. We accept the statement.

2. As regards the assessment of grant payable for the financial years 2012-13 to 2014-15 (both years inclusive), the letter tendered across the bar records that the representative of the Petitioner did not appear before the squad constituted for examination of the records and therefore, assessment of grant-in-aid could not be made.

3. One more opportunity will have to be granted to the Petitioner to produce documents so that assessment for the said years can be made.

4. Accordingly, we dispose of the Petition by passing the following order :

i. Within a period of one month from today, the Respondent shall call upon the Petitioner to remain present before the squad constituted by the State Government along with relevant record / papers. Advance intimation of the date fixed for examination of the records shall be served to the Petitioner.

ii. If the Petitioner produces requisite documents / record, the assessment for releasing of grant-in-aid for the financial years 2010-11 to 2014-15 (both the years inclusive) shall be made within a period of three months from the date on which necessary documents / record are produced by the Petitioner.

- iii. Needless to add that if after completing assessment, any amount is found payable, the same shall be immediately released to the Petitioner.
- iv. We accept the statements made in the letter dated 19th August, 2019, which is taken on record. We accept the statement made by the learned AGP on instructions that a sum of Rs.5,02,425/- is payable to the Petitioner by way of balance grant-in-aid for the year 2015-17 will be released within a period of four weeks from today.
- v. The above Writ Petition is disposed off on above terms.

(S.J.KATHAWALLA, J.)

(AKIL KURESHI, J.)