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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO. 134 OF 2015

Shri Prakash Balu Naik

.. Petitioner

Vs.

The State of Maharashtra & Ors.

.. Respondents

None for the petitioner.

Ms. Nisha Mehra, AGP for Respondent Nos.1 to 3 – State.

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

JULY 30, 2019.

P.C.

1. None appears to prosecute the Public Interest Petition and regrettably inspite of opportunity granted, reply has not been filed to the Public Interest Petition.

2. From a perusal of the Public Interest Petition it emerges that the State of Maharashtra took a decision to make available funds to construct houses for members of the backward classes requiring Co-operative Housing Societies Scheme to be

formed. A scheme was formulated. Co-operative Societies comprising members of the backward classes were formed. The societies purchased land. Money was disbursed to the Co-operative Societies to effect constructions but due to various reasons such as cost escalation or inadequate funds released houses could be only partially constructed. The Government looked into said issue and decided to prepare a action plan so that funds could be made available to complete the partially constructed houses.

3. The grievance is that the scheme to further fund the Co-operative Societies so that partially constructed houses could be made habitable has not been formalized and thus the prayer made is that a proper action plan with time bound programme be finalized.

4. Suffice it to state that once State funds are used to commence construction of buildings to house the members of the backward classes, the projects have to be taken to their logical conclusion for the reason incomplete houses would mean the utilized fund being wasted.

5. We dispose of the Public Interest Petition issuing a direction to the 2nd Respondent to personally look into the issue

and identify such Co-operative Societies formed by the members of the backward classes to which subsidized loans were advanced and the houses are still incomplete. Within the resources of the State, a scheme be finalized so that the incomplete houses can be completed and occupied by the members of the Co-operative Societies.

6. Needful shall be done within six months from today.

N. M. JAMDAR, J.

CHIEF JUSTICE