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

26 WRIT PETITION NO.1019 OF 2020

**SHOBHA DAMODHAR KHANDEKAR AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

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Mr S. R. WAkale, Advocate for petitioners;
Mr S. B. Pulkundwar, A.G.P. for respondent No.1/State;
Mr K. N. Lokhande, Advocate for respondent No.2

**CORAM : RAVINDRA V. GHUGE
AND
AVINASH G. GHAROTE, JJ.**

DATE : 21st June, 2021

PER COURT:

1. The petitioners have put forth Clause 'B' as under :

“B. The Ahmednagar Municipal Corporation, Ahmednagar may kindly be directed to give the benefits of Rs.3000/- per month to which the petitioners are entitled.”

2. We have considered the submissions of the learned Advocates for the petitioners, respondent No.2 and the learned A.G.P. on behalf of respondent No.1.

3. Respondent No.2 has been operating a scheme by granting Rs.3000/- per month to a particular category of disabled persons, who

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can be said to be covered by the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995. The grievance of the petitioner is that the welfare scheme has not been implemented to his extent for sometime.

4. We find that this petition is devoid of details and does not convey to us as to when was the payment of such benefits stopped and as to how much arrears are to be paid to the petitioners.

5. Shri. Lokhande, the learned Advocate has received a compilation of three documents which are tendered across the Bar. The same are taken on record and marked as 'X', collectively for identification. He submits that the petitioners have been paid their dues till April 2020. One mandatory condition of the scheme is that each year, a beneficiary must tender a certificate declaring himself to be "ALIVE". As these petitioners did not submit such certificates, further payments in the financial year 2020-2021 and 2021-2022, till today, have not been paid. It is further, fairly, stated that if these petitioners tender such certificates within two weeks from today and

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depending on the availability of the funds, respondent No.2 would commence such payment at par with the other beneficiaries.

6. The learned Advocate for the petitioners is satisfied and submits on instructions, that the petitioners would do the needful so as to be eligible for such benefit.

7. As such, by recording the above statements, this petition is disposed off. Needless to state, arrears, if any, would also be paid to these petitioners expeditiously.

(AVINASH G. GHAROTE, J.)

(RAVINDRA V. GHUGE, J.)

sjk