

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

903 WRIT PETITION NO.3408 OF 2020

VINAYAK BAHU UDDESHIYA SARVA SEVA SAHAKARI
SOCIETY LIMITED THROUGH ITS CHAIRMAN AND
ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr. Jadhav N. L.
AGP for Respondents-State : Mr. S. G. Sangle.
Advocate for Respondent No.3 : Mr. Pratap Vikhe h/f Mr. Hoke
Patil Kishore S.

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**CORAM : RAVINDRA V. GHUGE, AND
S. G. MEHARE, JJ.**

DATE : 13.10.2021

PER COURT :-

1. On 02.03.2020, this Court had recorded the submissions of the petitioners in paragraph No.1 of its order as under :

“1. The grievance of petitioners is that the loan proposal of petitioners has already been forwarded by D.D.R. to M.C.D.C. for release of the loan under the Atla Finance Assistant Scheme as per the Government Resolution dated 02.01.2019, but M.C.D.C. has not taken further steps.”

2. The learned AGP and the learned advocates representing the respondents draw our attention to the Government

Resolution dated 04.05.2020 vide which certain authorities were directed to surrender their funds to the State Government so as to utilize the same for Covid-19 purposes in the financial year 2020-2021. It is further stated that as soon as the Government provides funds to respondent No.2 in relation to the "Atal Finance Assistance Scheme", the amount sanctioned in July 2019 would be disbursed to the petitioner by following the list containing such parties to whom the amounts are to be disbursed.

3. The learned AGP points out that "out of turn" payment would not be made. It has been specifically set out in paragraph No.7 of the affidavit-in-reply filed on behalf of the State by Mr. Suresh Mahadeo Kedar, Assistant Registrar, Co-operative Society, Shirur stating therein that the Atal Finance Assistance Scheme was started to promote the business / projects of co-operative societies in the year 2018-19 on an experimental basis by virtue of the Government Resolution dated 02.01.2019. The Maharashtra Co-operative Development Corporation was appointed as a nodal agency for the implementation of this scheme.

4. It is mentioned in the said Government Resolution that a decision will be taken to continue the scheme on the basis of the evaluation report of the implementation for the first year of the Atal Finance Assistance Scheme. He points out that in the subsequent paragraphs of the affidavit, the progress made by the scheme is mentioned. Due to the challenges posed by Covid-2019 pandemic, the State is trying to divert funds for the containment of the pandemic. Certain beneficial steps like free treatment, free vaccines etc. were also introduced and all this has caused the state exchequer a huge expenditure.

5. He, therefore, submits on instructions and in the light of affidavit that as and when the pandemic is curbed and normalcy is restored, the Government would take a decision with regard to making the funds available under the Atal Financial Assistance Schemes. The same would also be subject to the extension of the scheme, if granted.

6. The learned advocate for the petitioner is agreeable to receive such funds as and when the funds are made available and the turn of the petitioner is reached.

7. In view of the above statements, this petition is disposed off.

(S. G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)

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vmk/-