

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

39 WRIT PETITION NO. 4588 OF 2021

**EKLAVYA MAGAS SEVA SAMITI & ANOTHER
VERSUS
THE STATE OF MAHARASHTRA & OTHERS**

...

Advocate for the petitioners : Mr.N.P.Patil Jamalpurkar
AGP for Respondent-State : Mrs.R.P.Gaur

...

**CORAM : RAVINDRA V. GHUGE &
S.G.DIGE, JJ.**

DATE : 18.04.2022

P.C. :

1. On 01.02.2022, considering the submissions of the learned AGP on the basis of the Government Resolution dated 03.10.2017, issued by the Welfare Department, VJNT, Other Backward Classes and Special Backward Class, Government of Maharashtra, it was noted that there is a mechanism for dealing with the Appeal / Revision against the impugned order. As such, the learned Advocate for the petitioners was granted time to go through the said Government Resolution and make a statement.

2. The learned Advocate for the petitioners has tried to impress upon us that the Government Resolution dated 03.10.2017 deals with the decision on an approval-proposal. We are of the view that the said submission is not in tune with the Government Resolution. The said Government Resolution provides for an appeal and in the event of the appeal having been decided, there would be a second appeal provided before the superior authority.

3. As such, this petition is disposed off with liberty to the petitioners to avail of a statutory remedy. All the contentions including the contention that the Assistant Commissioner, Social Welfare, Latur, did not have jurisdiction, is kept open. Needless to state, the said submission would be considered in the light of the order passed by this Court on 10.07.2017 delivered in Writ Petition No.8587/2016.

[S.G.DIGE, J.]

[RAVINDRA V. GHUGE, J.]