

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

965 WRIT PETITION NO.7132 OF 2022

CHANDRASAGAR BAHUDESHIYA SEVABHAVI SANSTHA THROUGH
ITS SECRETARY USHA LAXMAN BHALKE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

...
Advocate for Petitioners : Mr. R.N. Dhorde, Sr. Advocate i/b. Mr. S.B.
Gastgar

GP for Respondent/State : Mr. D.R. Kale
Advocate for Respondent No. 6 : Mr. S.S. Thombre

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**CORAM : RAVINDRA V. GHUGE &
ARUN R. PEDNEKER, JJ.**

DATED : SEPTEMBER 8th, 2022.

PER COURT :

1. We have perused the original file produced before us by the learned Chief Government Pleader pursuant to our order dated 18th August, 2022.
2. Shri R.N. Dhorde, learned Senior Advocate along with the advocate appearing on behalf of the petitioner and the learned advocate Shri S.S. Thombre, representing respondent No. 6, submit that the impugned order passed by the Hon'ble Minister dated 28.6.2022, which is impugned in this petition, be set aside by consent and the file No. EDD/2020/Case No. 76/DK 1 be remitted back to the office of the Hon'ble Minister - respondent No. 2.
3. In view of the above, this petition is disposed off, with the following directions :-

- A) The impugned order dated 28.6.2022 passed by respondent No. 2 is set aside by consent.
- B) Case No. EDD/2020/Case No. 76/DK 1 be restored to the file of respondent No. 2.
- C) As per the statement of the learned Government Pleader, the Hon'ble Minister – respondent No. 2 herein, would decide the said proceedings and pass an order after hearing all the litigating parties, on or before 30th November, 2022.
- D) The litigating parties would address respondent No. 2 as per the schedule mentioned above and are also at liberty to tender written notes of submissions along with case law.
- E) Copies of the order would be kept ready to be delivered to the litigating parties, on payment of requisite fees, if any, on the date of pronouncement.
- F) The order of respondent No. 2 would not be effective for a period of 15 days from the date of its pronouncement to enable the aggrieved party to avail of the remedy, as may be permissible in the law.
- G) Considering that the special children are the focal point, status quo as existing today shall be maintained and the Social Welfare Department shall monitor the well being and day to day activities of these special

children till 30th November, 2022, i.e. the period granted in the hearing of the matter before respondent No. 2 and 15 days thereafter. This would not create equities in favour of either of the litigating parties.

4. We are returning the entire original record as was produced before us, to the learned Government Pleader.

[ARUN R. PEDNEKER J.]

[RAVINDRA V. GHUGE, J.]

SSC/