

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

926 WRIT PETITION NO.9858 OF 2021

JAI SHRIRAM MAHILA SHAIKSHANIK
BAHHUDDDESHIYA SANSTHA SANCHALIT
VERSUS
THE STATE OF MAHARASHTRA THROUGH
ITS PRINCIPAL SECRETARY AND OTHERS

...
Advocate for Petitioner : Mr. R.K. Kasat h/f. Mr. Thombre S.S.
AGP for the respondent – State : Mrs. M.A. Deshpande
...

**CORAM : MANGESH S. PATIL &
Y. G. KHOBRAGADE, JJ.**

DATE : 24 NOVEMBER 2022

PC :

Heard.

2. The petitioner-trust has been running a children's home and was duly licensed under the Juvenile Justice (Care and Protection of Children) Act, 2000 (hereinafter **the Act of 2000**). It is now seeking renewal of the licence post a new Act – Juvenile Justice (Care and Protection of Children) Act, 2015 (hereinafter **the Act of 2015**) which has replaced the old one and the rules framed thereunder.

3. After hearing both sides, it transpires that in several group of matters of similar nature (***Mother Teresa Balakashram Vs. The State of Maharashtra and others*** i.e. writ petition no. 7821 of 2021 with connected writ petitions; decision dated 08-09-2022), the

respondent-authority has been directed to consider the applications of such similarly placed petitioners to be filed for renewal of licence under the Act of 2015 afresh. It was also directed that if the authorities find some deficiencies, an opportunity would be extended to get those rectified / complied with.

4. In view of such state-of-affairs, we allow the writ petition. The impugned communication is quashed and set aside.

5. Committee competent to take decision on the respondents proposal shall now take a decision afresh on the same in the light of the observations made in the judgment in the matter of ***Mother Teresa Balakashram Vs. The State of Maharashtra and others*** (supra), as early as possible. It is made clear that if the authority finds some deficiencies, it should call upon the petitioner and give an opportunity to rectify it.

6. If the concerned – Committee does not trace out the petitioner's application, the petitioner shall submit a fresh application within four weeks from today and the Committee shall decide it within 16 weeks thereafter.

[Y. G. KHOBRAGADE]
JUDGE

[MANGESH S. PATIL]
JUDGE

arp/