

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

71 WRIT PETITION NO.9808 OF 2022

**BHAUSAHEB BAJRANG PARKHE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS**

...
Advocate for Petitioners : Mr. A.B. Kale
AGP for Respondent Nos. 1 to 4 : Mr. S.G. Karlekar
...

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

DATED : SEPTEMBER 27th, 2022.

PER COURT :

1. The petitioners have put forth prayer clauses 'C', 'D' and 'E' as under :-

C) Rule may kindly be made absolute and by issuing appropriate writ or directions in the like nature, the respondents be directed to deposit/pay the amount of debt/loan with interest upon it and grant the benefit of the scheme namely Chhatrapati Shivaji Maharaj Shetkari Sanman Yojna-2017 immediately to the petitioner.

D) By allowing this Writ Petition, hold and declare that the petitioner is eligible for the benefit for the said scheme and direct the respondent to waive the debt/loan of the petitioner in view of the GR dated 28.08.2017 Chhatrapati Shivaji Maharaj Shetkari Sanman Yojna-2017 immediately to the petitioner.

E) To direct the respondents to grant the debt/loan to the petitioners without asking for no dues certificate for the grant of fresh debt/loan.

2. We have considered the submissions of the learned advocate

for the petitioners and the learned AGP on behalf of respondent Nos. 1 to 4. Considering the order, that we are passing, we have not issued notice to respondent Nos. 5 and 6, who are formal parties.

3. The documents before us shall be the communication dated 24.2.2020 by the Assistant Registrar, Co-operative Societies, Shrirampur, District Ahmadnagar addressed to the Member of Legislative Assembly (MLA) of Shrirampur constituency, the communication dated 19.3.2022 by the General Manager of the Agricultural Loan Department of respondent No. 5 Bank addressed to the District Deputy Registrar, Co-operative Societies, Ahmadnagar and the communication dated 24.3.2022 by the Assistant Registrar, Co-operative Societies, Shrirampur addressed to the petitioner, would indicate that the petitioner appears to be eligible for the 'Chhatrapati Shivaji Maharaj Shetkari Sanman Yojna 2017 - Karj Mukti Yojna' (hereafter referred to as '2017 Scheme'). We are informed that the said scheme has now replaced by 'Mahatma Jyotirao Phule Shetkari Karj Mukti Yojana, 2019' introduced vide Government Resolution (GR) dated 27.12.2019. The issue before us pertains to 2017 Scheme.

4. In view of the above, this petition is disposed off, with a direction to the State Government through the State Level Drawing and Disbursing Officer to scrutinize as to whether the petitioners'

names can be included in the green list so as to make them eligible for the benefits of the loan waiver scheme. Once such entitlement is decided, if not already decided, the claim of the petitioners be processed after recording their entitlement and entering their names in green list, as expeditiously as possible and preferably, on or before 30th November, 2022.

5. Since the similar matters had earlier come before this us bearing Writ Petition Nos. 4814 and 4817 of 2022 and since Shri Karlekar informs that there could be several such agriculturists, who may have grievance of similar nature, we direct the respondents to consider all such cases, which have not been brought before us in the light of this order so as to avoid unnecessary litigation.

[ARUN R. PEDNEKER J.]

[RAVINDRA V. GHUGE, J.]

SSC/