

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 3124 OF 2022

Balgram S.O.S. Childrens
Villages Through President
Rajan Puranik

...Petitioner

vs.

The Deputy Secretary State
of Maharashtra Women and Children
Deve. Dept and Ors.

...Respondents

Mr. V. P. Sawant Sr. Advocate i/by Adv. Sugandh B. Deshmukh - Advocate
for the Petitioner

Mrs. S. S. Bhende - AGP for the Respondent Nos. 1 to 4.

**CORAM : S.V. GANGAPURWALA AND
 S. M. MODAK, JJ.**

DATE : 13th JULY, 2022

P. C. :-

1. The Petitioner is assailing the Order appointing the Administrator, so also further Order granting extension to the tenure of the Administrator.
2. We have heard the learned Senior Counsel for the Petitioner and learned AGP for the Respondent Nos. 1 to 4.
3. At the request of learned counsel for the Petitioner, leave to amend Respondent No. 4 is granted.
4. It appears that the Administrator was appointed for the Petitioner-

Institution in the year 2014 i.e. under Order dated 21/10/2014. Under the impugned communication, the appointment of the Administrator is continued initially under Order dated 17/10/2019 and subsequently under Order dated 21/10/2020.

5. One of the contention of the learned Senior counsel for the Petitioner is that the continuation of the Administrator is without notice to the Petitioner. The tenure of the Administrator has come to an end. The purpose of the appointment of the Administrator was sub-served. There is no need of the continuity of the Administrator.

6. It appears that under Order dated 17/10/2019, the tenure of the Administrator was continued for a period of six months and thereafter, under Order dated 21/10/2020, it is further continued. However, the tenure of the Administrator is not specified.

7. On the last date, we had asked the learned AGP, as to period for which extension has been given to the Administrator. Learned AGP, on instructions, submits that the further steps are to be undertaken by the Authority, such as transfer of the land to other institution and the Administrator to be continued till the entire process is completed.

8. The initial appointment of the Administrator was in the year 2014. He continued for the five years. Again under Order dated 17/10/2019, the term of the Administrator was extended for indefinite

period. The appointment of the Administrator should be for specified period.

9. Considering the above, we pass following Order:-

- (i) Respondent shall hear the Petitioner before passing further Order for continuation of the Administrator.
- (ii) Petitioner shall appear before the Respondent No. 1 on 02/08/2022 and put forth his stand with regard to the continuation of the Administrator.
- (iii) Respondent No. 1 shall take a fresh decision with regard to the continuation of the Administrator after hearing the Petitioner on its own merits preferably, within one month from the date of appearance of the Petitioner.

10. Writ Petition is disposed of. No costs.

[S. M. MODAK, J.]

[S.V. GANGAPURWALA,J.]