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

WRIT PETITION NO.2059 OF 2023

SHRI. BARASHIV HANUMAN SHIKSHAN PRASARAK
MANDAL, THROUGH ITS JOINT SECRETARY
MURLIDHAR SONBARAO MULE
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY
AND OTHERS

....

Mr S. S. Gangakhedkar, Advocate for petitioner;
Mr P. S. Patil, A.G.P. for respondents/State

**CORAM : RAVINDRA V. GHUGE
AND
SANJAY A. DESHMUKH, JJ.**

DATE : 22nd February, 2023

PER COURT:

1. The petitioner has put forth prayer clause (B), which reads as under:-

“B) By an appropriate writ, order or direction under Article 226 of the Constitution of India, the respondents be directed to consider the proposal of the petitioner dated 29.03.2016 as well as 19.12.2016 and 10.05.2017 (Exhibit-K) expeditiously within stipulated period.”

2. Considering the above prayer, the learned A.G.P. submits that the pending proposal can be considered strictly in accordance with the Rules and the Policies as were applicable, including the rate of charges as ‘Nazrana’. He further submits that, in spite of

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an earlier order passed in 2003, the 'Nazrana' amount was not paid. Therefore, the rates for charging the 'Nazrana' in the case of the Petitioner, would be those that are charged as on date.

3. We would not go into the merits of the proposal and the Policies and the Rules that the respondent would apply while considering the said proposal. The petitioner desires that the proposal, which has been pending for more than 6 years, should be considered expeditiously on its own merits.

4. In view of the above, this petition is disposed off. We expect respondent No.2 to deal with the said proposal in accordance with the law applicable and after giving a reasonable opportunity of hearing to all the stakeholders, by following the due procedure laid down in law.

(SANJAY A. DESHMUKH, J.) (RAVINDRA V. GHUGE, J.)

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