

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.1952 OF 2023

TOLAJI RAGHUNATH KALE
VERSUS
THE STATE OF MAHARASHTRA THROUGH PRINCIPAL
SECRETARY AND OTHERS

...
Advocate for the Petitioner : Shri B.G. Sagade Patil i/by Shri
Biradar Chandrakant D.

GP for Respondents 1 and 2/State : Shri D.R. Kale

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CORAM : RAVINDRA V. GHUGE
&
SANJAY A. DESHMUKH, JJ.

DATE :- 20th February, 2023

Per Court :-

1. The petitioner has put forth prayer clause B as
under:-

“B) By issuing writ of mandamus or any other appropriate writ, order or directions in like nature, may kindly be directed to respondents to deposit/pay the amount of debt/loan with interest upon it and grant the benefit immediately to the petitioner as per the Government Resolution dated 28.08.2017 “Chatrapati Shivaji Maharaj Shetkari Sanman Yojana-2017”, Now the said Scheme replaced by Govt. Resolution dated 27.12.2019 “Mahatma Phule Shetkari Karj Mukti Yojana-2019”.”

2. The learned Chief Government Pleader submits that these two schemes are different. The earlier scheme known as “Chhatrapati Shivaji Maharaj Shetkari Sanman Yojana-2017”, had different provisions. It was introduced by the Government Resolution dated 28.08.2017. By the Government Resolution dated 27.12.2019, another scheme “Mahatma Phule Shetkari Karj Mukti Yojana-, 2019” was introduced.

3. We have perused the Government Resolution dated 27.12.2019 and clause 2 indicates that, those agriculturists/farmers, who have availed of loans in between 01.04.2015 till 31.03.2019 and such short term loans not beyond Rs.2 lacs, have been taken by the marginal farmers, the Mahatma Phule Scheme would be applicable.

4. In view of the above, **this Writ 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 petitioner’s name can be included in the green list so as to be eligible for the benefits of the loan waiver scheme. Once such entitlement is decided, if not already decided, the claim of the petitioner be processed, after recording his entitlement for entering his name in the green list, as expeditiously as possible

and preferably within three months from today.

5. Since similar matters had earlier come before us bearing Writ Petition Nos.4814/2022 and 4817/2022 and since the learned Chief Government Pleader 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.

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