

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

60 WRIT PETITION NO.2323 OF 2023

MATOSHRI BALKASHRAM CHINCHOLI THROUGH ITS PRESIDENT
RAMRAO SHIVAJI RATHOD
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS

Ms.Akshara Madake h/f Mr.S.S.Thombre, Advocate for the Petitioner.
Mr.S.G.Karlekar, AGP for the Respondent/State.

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

DATE : FEBRUARY 28, 2023

PER COURT :

1. In this petition, the Petitioner has put forth prayer clauses
B, C and D as under :-

- “B) *By issuing appropriate writ, order or directions in the like nature, the impugned order/letter dated 17.08.2021 passed/issued by the respondent No.2 / the Commissioner, Woman and Child Welfare, Maharashtra State Pune thereby rejecting the proposal of the petitioner may kindly be quashed and set aside and for that purpose issue necessary orders.*
- C) *By issuing writ of mandamus or any other appropriate writ, order or directions in the like nature, the respondent Nos.1 and 2 may kindly be directed to renew the licenses of the petitioner pursuant to the proposal submitted by the petitioner and for that purpose issue necessary orders.*

D. By issuing writ of mandamus or any other appropriate writ, order or directions in the like nature, the respondent authorities may kindly be directed to allot the inmates to the petitioner till the competent authorities decide the proposal of the petitioner for renewal of the license and for that purpose issue necessary orders.”

2. This court, vide the judgment dated 08.09.2022 delivered in Writ Petition No.7821/2021 filed by the **Mother Teresa Balakashram vs. The State of Maharashtra and others and in connected matters**, has quashed and set aside the impugned communication dated 17.08.2021.

3. The learned advocate for the Petitioner as well as the learned AGP agree that this petition has to be disposed off in the light of the judgment dated 08.09.2022. The pending proposal of this Petitioner will have to undergo rectification of shortcomings and thereafter, the decision is to be taken.

4. In view of the above, the Writ Petition is disposed off.

5. Needless to state, Respondent No.2 shall initiate steps to take a decision on the proposal of the Petitioner and in the event of any shortcomings, he would grant time to the Petitioner to rectify the

shortcomings. After such rectification, the Petitioner would approach Respondent No.2 with the rectified proposals within four weeks and thereafter, Respondent No.2 would take a final decision on the proposal within sixteen (16) weeks from today.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)