

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

91 WRIT PETITION NO.4625 OF 2023

ANNABHAU SATHE SHIKSHAN PRSARAK MANDAL SACHALIT
THROUGH ITS SECRETARY UTTAM WAMAN PAWAR
VERSUS
THE STATE OF MAHARASHTRA,
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

...
Advocate for Petitioners : Mr. S. S. Thombre.
AGP for Respondent/State : Mr. S. G. Karlekar.
...

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

DATE : 25th April, 2023.

Per Court:

1. The Petitioner has put forth prayer clauses (B) and (C),
which read as under:-

“(B) By issuing a writ of mandamus, orders, directions or any other appropriate writ in the like nature, direct the respondent No.2 to decide the proposal to grant renewal Certificate of Registration to the child care home run by the petitioner society at Beed, Tq. & District Beed, which is pending since 2020, and for that purpose, issue necessary orders;

(C) Pending hearing and final disposal of this writ petition, direct the respondent No.3 to permit/allow the inmates of the child care home run by petitioner society for further studies, by granting renewal of the Certificate of Registration, in terms of the provisions of the Act of 2015, which granted earlier in favour of the child care home run by the petitioner society;”

2. It is pointed out that the Co-ordinate Bench of this Court has delivered a judgment dated 08/09/2022 in Writ Petition No.7821 of 2021, filed by ***Mother Teresa Balakashram vs. State of Maharashtra and others*** and connected petitions, at Aurangabad. Considering the view taken in the said judgment, this Court has passed an order on 10/10/2022 in Writ Petition No.10317 of 2022, filed by ***Rajashri Shahu Bahuddeshiya Gramin Vikas Sanstha vs. The State of Maharashtra and others*** and connected petition.

3. The learned A.G.P. submits that, he would not argue against the law laid down by this Court. The learned Advocate for the Petitioner submits that, directions issued in the above referred orders can be made applicable to this case, as the proposal of the Petitioner, seeking renewal of licence, is pending.

4. Considering the above, we are reproducing the order/ direction of this Court, passed in ***Mother Teresa (supra)*** and ***Rajashri Shahu Bahuddeshiya Gramin Vikas Sanstha (supra)***, as under:-

“4. In view of the above, both these writ petitions are disposed off.

5. Needless to state, respondent No.2 shall initiate steps to take a decision on the proposals of the petitioners and in the event of any shortcomings, he would grant time to the petitioners to rectify the shortcomings. After such rectification, the petitioners would approach respondent

No.2 with the rectified proposals within four weeks and thereafter, respondent No.2 would take a final decision on the proposals within sixteen (16) weeks from today.”

5. In view of the above, **this Petition is disposed off.** We expect, respondent No.2 to deal with the proposal of the Petitioner, on it's own merits and pass appropriate orders, within 120 days.

6. Needless to state that, if any deficiencies are noted by the Government in this matter, the same shall be expeditiously intimated to the Petitioner, in order to enable it to take steps to remove the said deficiencies.

[SANJAY A. DESHMUKH, J.]

[RAVINDRA V. GHUGE, J.]

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