

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

153 WRIT PETITION NO.4727 OF 2023

VASANT BALSADAN SEVA KENDRA
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

.....
Mr.V.B. Jadhav, Advocate for the Petitioner.
Mr.P.S. Patil, AGP for Respondent/State.
.....

**CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.
DATED : 26th APRIL, 2023.**

PER COURT :-

1. The petitioner Vasant Balsadan Seva Kendra, Kanadi Borgaon has put forth prayer clauses "B" and "C" as under:-

"B) Issue a writ of *mandamus* or writ in the nature of *mandamus*, the respondents may kindly be directed to decide the proposal of the petitioner within stipulated time for grant of registration certificate pursuant to the order dated 08.09.2021 passed in Writ Petition No. 7821 of 2021 with other connected matters.

C) Pending the hearing and final disposal of this Writ Petition, the respondents may kindly be directed to issue provisional registration certificate in favor of the petitioner pursuant to the order dated 08.09.2021 passed in Writ Petition No.7821 of 2021 with other connected matters."

2. It is pointed out that the coordinate Bench of this Court has delivered a judgment dated 8.9.2022 in writ petition No. 7832 of 2011

filed by Mother Teresa Balakashram vs. State of Maharashtra and others 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 Rajeshree Shahu Bahuuddeshiya Gramin Vikas Sanstha vs. The State of Maharashtra and others.

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 ***Rajeshree Shahu Bahuuddeshiya 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, on or before 15.07.2023.

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

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE , J.)

sga/