

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

912 WRIT PETITION NO.6647 OF 2023
WITH CA/8341/2023 IN WP/6647/2023

HEMANTKUMAR AMRUTRAO SALUNKHE THROUGH IT'S VICE
CHAIRMAN AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS ADDITIONAL CHIEF
SECRETARY AND OTHERS

Mr.A.B.Kale, Advocate for the Petitioners.
Mr.D.R.Kale, Govt.Pleader for the Respondent/State.
Mr.A.D.Shinde, Advocate for the Applicant/Intervenor.

(CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.)

DATE : JULY 11, 2023

PER COURT :

1. We have considered the submissions of the learned Advocates and the learned Government Pleader, on behalf of all the respective parties, yesterday and today as well and the applicant seeking intervention. For the present, we are not going into the issue of whether this petition is maintainable at the behest of the Petitioner for the reason that we are disposing off the petition today, by the consent of the parties.

2. The Government Pleader has made a statement that after the District Deputy Registrar, Co-operative Societies, Jalgaon has submitted a report dated 22.02.2023 addressed to the Commissioner, Co-operation/Registrar, Co-operative Societies, Maharashtra State, the Commissioner has forwarded the said report to the Government on 22.03.2023. The Government has, thereafter, reverted to the Commissioner, Co-operation, for certain more inputs. After the Commissioner, Co-operation offers his inputs, the matter would again go to the Government and thereafter the Government would consider the issue of whether such educational trusts / societies could function under the Co-operative Societies, or the Maharashtra Public Trusts Act or both.

3. The learned Government Pleader further makes a statement that presently this issue pertaining to 6 such educational institutions including the Petitioner, is being looked into by the Government, and in each case, the stake holders would be granted an opportunity of hearing, before the Government takes a decision. A decision that would be arrived at, would be by way of a policy decision,

which would apply to all the educational institutions in the State of Maharashtra.

4. In view of the above, as there is no apprehension or impending threat of de-registering any of these institutions under either of the Acts, **this petition is disposed off.** Needless to state, after the Government takes a policy decision, if any of the parties are aggrieved, they would be at liberty to avail of a remedy as is permissible in Law.

5. The pending **Civil Application** would not survive and **stands disposed off.**

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)