

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.4556 OF 2022

(Priyadarshani Gramin Va Aadiwasi Utkarsha Foundation thr. its President Atharva
s/o Jgannath Dhone Vs. Additional Commissioner, Tribal Development Department,
Amravati and others)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. A. R. Deshpande, Advocate with Mrs. M. Z. Haq, Advocate for Petitioner.
Mr. S. M. Ukey, Addl GP for Respondents 1 to 3/State.

CORAM: ROHIT B. DEO AND M. W. CHANDWANI, JJ.

DATE: 14th JUNE, 2023.

We are satisfied that the grievance in the
petition is satisfactorily addressed.

2. Prayer (A) seeks a direction that the pending
grants for the year 2019-20 be released and further the
advance grants for the year 2022-23 be also released.

3. It appears that due to the *inter se* dispute
between the Management there was some difficulty in
releasing the non-salary grant.

4. We passed the following order
on 20.01.2023:

*“It appears that because of the
inter se dispute between the rival groups*

in the Trust, the non-salary grant/subsidy is not disbursed by the State Government.

2. In the interest of the students, we make the following interim arrangement :

a) We direct respondent 1 to depute any responsible employee/officer of the department to open a bank account in the name of the petitioner-Trust in which the non-salary grant/subsidy which is not disbursed due to the inter se dispute, shall be deposited.

b) The employee/officer shall be entitled to operate the bank account and to expend the amount deposited for the purpose for which the same is granted/released by the Government. The employee/officer shall submit quarterly reports to respondent 1.

c) We are informed that the account can be opened in the name of the Priyadarshani Gramin Va Adiwasi Utkarsha Foundation by the employee/officer nominated by respondent 1 with the State Bank of India, Ramdaspath Branch, Akola. We direct the said branch to permit the nominee of respondent 1 to open the bank account in the name of the petitioner-Trust.

3. Stand over to 17-3-2023.

4. Steno copy of this order shall be supplied to the learned Additional Government Pleader.

5. It is not in dispute that the bank account is opened.

6. Some amount is deposited in the bank account.

7. If the non-salary grants for the year 2019-20 is not already deposited, the same, or any portion which is withheld, be deposited in the bank account opened in view of the interim order, within the next four weeks.

8. In so far as the advance grants for the year 2022-23, the same be released as and when advance grants are released in favour of similarly situated Institutions.

9. We are not inclined to consider prayer clause (B) which seeks a direction that the change reports of 2018 and 2021 be decided within a stipulated period of time. We may take judicial notice that change reports are pending before the said authority pertaining to the earlier years. We can only hope and expect that the said change reports be decided as expeditiously as possible

considering the work-load.

10. Prayer (C) seeks a restraint order against respondent 4 restraining her from “misguiding the authority” by claiming that she is the President of the Trust. We are afraid that in writ jurisdiction we cannot issue such directions as the matter lies within the exclusive domain of the authority under the Maharashtra Public Trusts Act.

11. The petition is disposed of.

(M. W. CHANDWANI, J.)

(ROHIT B. DEO, J.)

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