



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 6095 OF 2023

Santosh Bansilal Chayal

....Petitioner

VERSUS

The State Of Maharashtra Thorough Its Secretary And Others

.....Respondent

.....

Advocate for the Petitioner : Mr. S.S. Wagh h/f M.A. Dond

AGP for Respondents : Mr. V.M. Jaware

Advocate for Respondent 4 : Mr. Tarde Vivek V.

.....

CORAM : SMT. VIBHA KANKANWADI

AND

S. G. CHAPALGAONKAR, JJ.

Dated : January 05, 2024

PER COURT :-

1. In the present petition, by invoking the Constitutional power of this Court under Article 226 and 227 of the Constitution of India, following prayer is made. Prayer clause 'C' which appears to be the main prayer reads thus :-

“C” By issue of writ of mandamus or any other appropriate writ or order, the respondent nos. 1 to 4 may kindly be directed to extend the benefits of One Time Settlement Scheme as per various Government Resolutions to the petitioner for repayment of the loan amount of the respondent no.4-Society.”

2. Coordinate Bench of this Court by order dated 23.1.2023 in writ petition no 632 of 2023 (Smt. Parvati Shankar Pandit and another Vs. State of Maharashtra through its Secretary and others) has taken a view that such petition cannot be entertained. In view of fact that the respondent no.4 is a private Society, we are also of the same view that Constitutional power that cannot be inferred and therefore the writ petition is not maintainable, stands dismissed accordingly.

(S. G. CHAPALGAONKAR, J.) (SMT. VIBHA KANKANWADI, J.)

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