



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CONT. PETITION NO. 694 OF 2022
IN WP/3017/2020

Arjun Vitthalrao Naiknaware

... PETITIONER

VERSUS

1. Mr. Rajesh Kumar
Secretary, Department of Co-operation,
Marketing, Textile, State of Maharashtra
Mantralaya, Mumbai – 400032
2. Smt. Deepa Mudhol – Munde
District Collector/Magistrate,
Beed, Dist. Beed.
3. Mr. Samrut Jadhav
District Deputy Registrar
Co-operative Societies, Beed
Dist. Beed
4. Mr. V.S. Jagdale
Assistant Registrar
Co-operative Societies, Majalgaon
Tq. Majalgaon, Dist. Beed.
5. Chief Manager,
State Bank of India
Branch Beed Road, Majalgaon,
Tq. Majalgaon, Dist. Beed.

... RESPONDENTS

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Advocate for the Petitioner: Mr. M.S. Shaikh h/f. Mr. Deshmukh Sachin S.
AGP for Respondents: Mr. V.M. Jaware
Advocate for Respondent No.5 : Mr. Arun V. Rakh

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CORAM

: MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.

DATE

: 27.02.2024

PER COURT:

The petitioner's claim for loan waiver was directed to considered by the respondent - State.

2. In the affidavit-in-reply filed by the respondent No.3 which has been mentioned in paragraph Nos.5 to 7 as under :

5. *I say that, a total financial assistance of Rs.18762 crore is given to 44.04 lakh farmers and that 6.60 lakh farmers are yet to be provided with Rs.5975 crore. That, the budgetary provision was not available during last three years and for the year 2023-24 it is Rs.55.77 crore only, which is insufficient and a supplementary demand is made. I say that, the present Petitioner is eligible to the benefit of loan waiver of Rs.76000/- after applying 'minimum expected recovery/hair-cut formula as per scheme guidelines.*
6. *I say and submit that, the Respondent Bank, State Bank of India has submitted loan details of the Petitioner on 21/01/2021 to MAHA-ONLINE Mumbai, the agency appointed by the State Government for implementation of the Scheme and the Bank has obeyed the order issued by this Hon'ble Court.*
7. *I say that, during last three years the required adequate budgetary provision for the scheme could not be made and that the budgetary provisions available for the current year, 2023-24 is not sufficient to provide scheme benefit to all the eligible approved beneficiaries. That, the computerized online portal developed by Maha Online specially for the scheme is temporarily closed and computerized processing of the loan data shared by the banks could not happen. I say that, the scheme has not yet closed and that the Government with intention to provide scheme benefit to all the eligible beneficiaries is in process of making available sufficient funds for the Scheme, allotting work order to scheme implementing agency, activation of scheme computerized online portal, sharing required information and data with and from various banks and other related work."*

3. Since the petitioner's claim has already been considered and the benefit is to be extended to the extent stipulated therein, which

would happen according to the budgetary provision nothing survives. The writ petition is disposed of with a direction to the respondents depending upon the budgetary provision, to disburse the money in accordance with the scheme.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

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