



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

119 WRIT PETITION NO. 668 OF 2024

**NAVALBHAU PRATISTHAN THROUGH ITS CHIEF ADMINISTRATIVE
OFFICER AND ANOTHER
VERSUS
STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND ANOTHER**

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Advocate for the Petitioner : Mr. Bajaj Anil S.
AGP for Respondent nos. 1 & 2 : Mr. K. N. Lokhande

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

DATE : 22.07.2024

PER COURT :

Heard.

2. The petitioner no. 1-management, which runs the petitioner no. 2-Law College are, awaiting the fruits of the judgment and order passed in the earlier round of litigation in the form of Writ Petition No. 969/2004 decided on 18.07.2017, which decision was appealed against and was confirmed by the Supreme Court subject to certain modifications.

3. By the impugned government resolution dated 13.09.2019, a decision has been taken by the State Government to release the grant in a phased manner, contrary to the decision of this Court, confirmed by the Supreme Court, wherein it was expressly directed that the grants should be released from the date of the order passed by the High Court that is 18.07.2017.

4. It is indeed surprising that even after the State had unsuccessfully challenged the order of this Court, while passing the impugned resolution it could have played such a trick. It was not open for the State now to interpret the order according to its own perception; rather it would be

bordering contempt in creating an exception by directing release of the grants in a phased manner.

5. A similar issue had cropped up before us in the matter of some other similarly placed management and the Law College in Writ Petition No. 4728/2021. By the order dated 07.11.2023, a similar decision was quashed and set aside and the State was directed to release the grants strictly in accordance with the order of this Court as stood modified by the Supreme Court.

6. The Writ Petition is allowed. The impugned government resolution is quashed and set aside by directing the respondents to pass a fresh resolution, strictly in accordance with the directions of this Court and that of the Supreme Court. The decision shall be taken as expeditiously as possible and any case within eight weeks from today.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

mkd/-