



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.2758 OF 2023

Yedeshwari Gurukulam Goshala,
At Dudhalwadi, Post Yermala,
Tq. Kalamb, Dist. Osmanabad,
Through its Secretary,
Rangnath s/o Vishwanath Dudhal,
Age: 56 years, Occu.: Agri.,
R/o. At Dudhalwadi, Post Yermala,
Tq. Kalamb, District Osmanabad.

.. Petitioner

Versus

1. The State of Maharashtra
Through its Principle Secretary,
Agri., Animal Husbandry,
Dairy Development and Fisheries,
Department, Mantralaya,
Mumbai-32.
2. The Commissioner,
Animal Husbandry,
Maharashtra State, Pune.
3. The District Deputy Commissioner,
Animal Husbandry Office,
Osmanabad, Dist. Osmanabad.

.. Respondents

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Mr. Narsing B. Jadhav, Advocate for the petitioner.
Mr. S. D. Ghayal, Addl. G. P. for respondent Nos.1 to 3/State.

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**CORAM : SMT. VIBHA KANKANWADI &
HITEN S. VENEGAVKAR, JJ.**

DATE : 29 SEPTEMBER 2025

ORDER :

. Present petition has been filed for following reliefs :-

“C] By passing appropriate orders, writ or mandamus or directions in like nature, the respondents may kindly be directed to release the subsidy amount of Rs.1 Crore as per the Government Resolutions dated 09.01.2019 and 06.02.2019 to the petitioner’s Yedeshwari Gurukulam Go Shala, Dudhalwadi, Tq. Kallam, Dist. Osmanabad as State Government has already disbursed the subsidy amount by implementing the same policy to the other organizations.

D] As because of inaction at the hands of respondents huge loss is caused to the petitioner same may kindly be awarded towards mental and physical loss special compensation may kindly allow in favour of petitioner to which it is entitle for that purpose issue necessary order.”

2. The petitioner contends that it is a registered trust under the Bombay Public Trust Act and its object is to protect livestock more particularly, Cows, to prevent atrocities against Cows, to provide food and shelter to the Cows and to promote Gau Palan Training etc. There is regular audit of the petitioner’s account and petitioner pays income tax regularly. The petitioner/trust is also helping the police whenever there is a case in respect of illegal transportation of Cows. When such livestock is seized or taken in custody, then police contact the petitioner to take care of the livestock. The petitioner has produced on record certain letters by police station as well as the Court of Judicial Magistrate First Class, Kallam. The Government of Maharashtra had taken a decision to start a

scheme for preservation of Indian based animals, particularly, Cows and Bulls. The Government had come up with new legislation i.e. Maharashtra Animal Protection (Amendment) Act, 1995 and thereby imposed ban for slaughtering of Cows and Bulls. Thereafter, by Government Resolution dated 09.01.2019, the State Government has introduced new scheme by name Govardhan Govansha Seva Kendra for fiscal year 2016-2017 to be implemented in 34 districts of Maharashtra. Subsidy of Rs.1 Crore was declared and the said subsidy was provided to those Seva Kendras, who were selected for cattle relief and fodder camp in first resolution dated 09.01.2019. Respondent No.1 had selected six Goshala and thereafter, considering the contribution and eminent work in the field, respondent No.1 had selected petitioner for starting cattle relief and fodder camp by publishing separate Government Resolution dated 06.02.2019. Pursuant to the said Government Resolution dated 09.01.2019, the Government issued another Government Resolution dated 06.02.2019 and for the fiscal year 2018-2019 in all 21 Goshalas were selected for implementing Govardhan Govansha Seva Kendra scheme. Such resolutions were also passed for another period also. In spite of these Government Resolutions, the Government never released amount of Rs.1 Crore, nor even it had received amount of Rs.25 Lakhs as per the Government Resolution dated 04.05.2018. After the Government Resolution dated 06.02.2019 in respect

of petitioner's name it had immediately started giving relief to the cattle and started the fodder camp from 15.02.2019 at Dudhalwadi. There were more than 3000 animals which had sheltered in the said camp of the petitioner. Thereafter, the Government had also declared the petitioner trust as S.P.C.A. in view of Government Resolution dated 04.03.2020. In spite of giving the services, as stated in the petition, when amounts have not been released, the petitioner has filed the present writ petition.

3. Respondent Nos.1 to 3 relied on the affidavit-in-reply by Dr. Sanjay Jaiwant Gaikwad, the Regional Joint Commissioner, Animal Husbandry office, Aurangabad. It has been stated that the petition gives only half truth. The Government Resolution was published by the Government on 26.04.2017 thereby introducing the scheme for starting or helping/supporting the Goshala under the scheme Govardhan Govansha Seva Kendra. The eligible Goshalas were asked to participate in the implementation of the said Government Resolution. The petitioner had submitted the application. The District Deputy Commissioner, Osmanabad has visited the Goshala for ascertaining the claim of the petitioner and the report has been submitted. The petitioner's institute was not selected for the said scheme as per Government Resolution dated 26.04.2017 and, therefore, the petitioner cannot claim any benefit under the said scheme.

Thereafter, the data in respect of animal census has been given. He states that the new scheme that was introduced was not dependent on the earlier Government Resolution. The new scheme was on the basis of Government Resolution dated 09.01.2019. The petitioner was allowed to run the cattle relief and fodder camp and not the Goshala as per the Government Resolution dated 09.01.2019 and 06.02.2019. The relief and fodder camps were to be given Rs.70/- per day per big animal and Rs.35/- per day for per small animal. The petitioner had closed its cattle relief camp on 31.10.2019 and a total subsidy of Rs.6,70,50,518/- was paid to the petitioner Goshala. In addition to that the petitioner is not entitled to amount of Rs.1 Crore as the petitioner was not selected under the Government Resolution dated 26.04.2017. Another Government Resolution is relied which is dated 04.03.2020, wherein it is stated that all Goshalas those have received and would be receiving subsidy under the Govardhan Govansha Seva Kendra Scheme are declared as animal shelters/hospitals for the respective district. The name of the petitioner Goshala was not included in the list attached to the order dated 12.05.2020 and, therefore, the writ petition is devoid of merits.

4. Heard learned Advocate Mr. Narsing B. Jadhav for the petitioner and learned Additional Government Pleader Mr. S. D. Ghayal for

respondent Nos.1 to 3/State. In order to cut short it can be said that both of them have made submissions in support of their respective contentions.

5. Both the parties are relying on the Government Resolutions. For the claim of Rs.1 Crore, the petitioner relies on the Government Resolution dated 09.01.2019, which states that the Committee of Ministers had decided to implement Govardhan Govansha Seva Kendra Scheme in the districts of Osmanabad, Jalna, Beed, Parbhani and Aurangabad from Marathwada region and the selected Goshalas would be given the subsidy of Rs.1 Crore and on experimental basis, those Goshalas can start the cattle relief and fodder camp. In the said Government Resolution for the district Osmanabad, one Bhagwant Bahuuddeshiy Sanstha, Vedant Nagar, Taluka and District Aurangabad was selected. There was no name of the petitioner. It is then also to be noted that there is mention of Yojna in which Govardhan Govansha Seva Kendra Yojna was allowed. For that purpose, we will have to rely on the Government Resolution dated 26.09.2017 and in the said Government Resolution the object, selection process and the facilities to be given, has been mentioned. It specifically states that the Committee would be headed by Hon'ble the Minister Animal Husbandry, the Chairman of the Committee, who would select the Goshalas, wherein Govardhan Govansha Seva Kendra would be

permissible. The petitioner has not produced on record any such documents, which shows that the petitioner was selected by the said Committee for Govardhan Govansha Seva Kendra scheme. The petitioner is relying on the Government Resolution dated 06.02.2019 as the basis for its entitlement for the subsidy of Rs.1 Crore. However, if we carefully peruse the Government Resolution, it states that at the time of drought, the decision was taken to give subsidy of Rs.1 Crore in view of Govardhan Govansha Seva Kendra scheme to the selected Goshalas and they were asked to start cattle relief and fodder camps. The Collector, Osmanabad had recommended that there should be such camps organized in the drought affected area by their letter dated 05.02.2019 and, therefore, the petitioner was selected for start of such camp. That means, the petitioner was not selected by the Committee, which was appointed under Government Resolution dated 26.04.2017. The respondents have produced the notes and the receipts issued by the petitioner from time to time regarding receipt of the amounts for the fodder camps. The total amount as stated earlier that has been paid to the petitioner is Rs.6,70,50,518/-. There is no rejoinder filed by the petitioner denying the statement that it has received so much of amount. Thus, it can be seen that the petitioner has received the amount as per Government Resolution dated 06.02.2019, but the petitioner is claiming amount of Rs.1 Crore as per Government

Resolution dated 09.01.2019. The Government Resolution dated 09.01.2019 cannot be read in isolation. It has to be read along with Government Resolution dated 26.04.2017 and, therefore, the petitioner is not entitled to any such amount as claimed. The petition is devoid of merits. The same is accordingly dismissed.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm