

Chaitanya

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 11648 OF 2019

Shri. Revansiddheshwar Bahuddeshiy

Sanstha, through its President

Sou. Meetatai Raju Rathod

... Petitioner

Versus

Union of India And Ors.

... Respondents

Mr. Macchindra Patil a/w Ms. Geetanjali Golatkar, Mr. Akhil Kupade, for Petitioner.

Ms. S. D. Vyas, Addl.G.P. a/w Ms. P. N. Diwan, A.G.P., for Respondent Nos. 2 to 5.

**CORAM : M.S. Sonak &
Jitendra Jain, JJ.**

DATED : 31 July 2025

P.C.:-

1. Heard Mr. Macchindra Patil, the learned Counsel for the Petitioner and Ms. Vyas, the learned A.G.P., who appears with Ms. Diwan for the Respondent Nos. 2 to 5.

2. The Petitioner challenges the communication dated 09 July 2018, by which the Petitioner's Application for grand-in-aid, under the scheme of Grant-In-Aid to Voluntary and Other Organizations Working for Schedule Caste, formulated by the Central Government, came to be rejected.

3. The impugned rejection order is at Exh-A, page 19 of this Petition. The reasons set out in the impugned communication are as follows: -

(a) Non-fulfilment of the condition that 60% of the beneficiaries of the proposed project should belong to the members of the Scheduled Castes.

(b) The Applicant must have experience in operating a 10-bedded hospital for at least two years.

4. The impugned communication states that when an inspection was conducted, it was observed that construction of the proposed hospital was ongoing, and therefore, there was no evidence of the Petitioner having two years' experience in operating a 10-bedded hospital.

5. The impugned communication was issued on 09 July 2018. The learned Counsel for the Petitioner states that the position would have changed by now. He submitted that the Petitioner always fulfilled the criteria of 60% or more of the beneficiaries being members of the Scheduled Caste. The Petitioner is seriously interested in setting up a 10-bedded hospital and therefore, his application for grant-in-aid should not have been rejected.

6. Ms. Vyas, on instructions from Ms. S. Y. Sonawane, Assistant Commissioner, Social Welfare, Solapur District, stated that even now, if the Petitioner's claim that they fulfil the terms and conditions set out under the scheme at Exh-G or as amended from time to time, the Petitioner is at liberty to

apply for a grant-in-aid on the online portal. She submitted that if such an application is made, then the concerned authorities will examine the Application and consider the same in accordance with law and on its own merits. She stated that, if necessary, an inspection would also be held to determine whether any grant-in-aid can be extended to the Petitioner under the scheme as amended from time to time. However, she submitted that there was nothing wrong in the impugned communication because, at least at that time, there was no compliance.

7. We have considered the rival contentions and perused the limited material placed on record by the parties.

8. In our opinion, there is no case to justify interfering with the impugned communication. The reasons in the impugned communication appear correct because even today, Mr Patil was unable to say with certainty whether the construction of the hospital was complete, or the hospital was operational.

9. However, we accept Mr. Patil's argument that the impugned communication, at most, reflects the position of 2018, and the so-called deficiencies, which the petitioners do not admit, may have been sorted out and do not exist; still, that could not be a ground to interfere. At the highest, a fresh opportunity could be granted to the petitioners as was fairly suggested by Ms Vyas.

10. Therefore, the interest of justice would be served if the Petitioner is granted liberty to once again apply for a grant-in-aid on the Central Government's prescribed portal. Along with this Application, the Petitioner must enclose proof of compliance consistent with those prescribed under the Scheme at Exh-G or the amended scheme, if any.

11. Once such an Application is made, the concerned Respondents must consider the Petitioner's Application in accordance with the law and dispose of the same as expeditiously as possible. The Petitioner should also be heard by the concerned officer, so that if any clarifications regarding compliance are necessary, they could be sorted out. This is because the Petitioner has had to approach this Court for the second time through this Petition. If any inspection is found necessary, the same should also be undertaken as a part of the examination and consideration of the Petitioner's Application for grant-in-aid.

12. The concerned authorities must always remain conscious that these are schemes for the welfare of the Scheduled Castes and other marginalised communities. The objective of the scheme is to enhance the reach of development interventions of the Government and fulfil the gaps in service-deficient Scheduled Castes dominant areas, in sectors such as education, health, vocational training, etc., through the efforts of voluntary organisations. Therefore, if such Applications are received from genuine and bona fide

NGOs who fulfil the necessary criteria prescribed, then the authorities must deal with such applications expeditiously and consistently with the objective that such schemes seek to achieve.

13. Accordingly, whilst we see no good ground to interfere with the impugned communication dated 09 July 2018, we dispose of this Petition by giving the Petitioner the liberty to apply afresh and directions upon the concerned Respondents to dispose of the Petitioner's fresh Application, in accordance with law and on its own merits. This exercise must be completed expeditiously. Ideally, the Petitioner's Application must be disposed of within three months of its making.

14. This petition is now disposed of with the above directions. No costs. All concerned must act on an authenticated copy of this order.

(Jitendra Jain, J)

(M.S. Sonak, J.)